



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

HF100	3
HF101	8
HF102	11
HF103	13
HF104	16
HF105	19
HF106	22
HF107	29
HF95	33
HF96	36
HF97	54
HF98	56
HF99	61
HJR4	63
HR6	65
HSB76	67
HSB77	74
HSB78	76
HSB79	78
HSB80	80
HSB81	82
HSB82	84
HSB83	86
HSB84	104
HSB85	116
HSB86	125
HSB87	128
HSB88	130
HSB89	135
HSB90	137
SCR1	139
SF74	158
SF75	161
SF76	164
SF77	166
SF78	170



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

SF79	172
SF80	177
SF81	180
SF82	183
SF83	186
SF84	193
SF85	199
SF86	202
SR1	204
SR2	253
SSB1087	255
SSB1088	257
SSB1089	259
SSB1090	262
SSB1091	264
SSB1092	267
SSB1093	273
SSB1094	285
SSB1095	288
SSB1096	292
SSB1097	310
SSB1098	322
SSB1099	327
SSB1100	332
SSB1101	334



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

House File 100 - Introduced

HOUSE FILE 100
BY JONES

A BILL FOR

1 An Act relating to the parental rights of an individual whose
2 parentage is the result of sexual abuse for which the
3 individual has been convicted.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 1939YH (2) 86
pf/nh



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

H.F. 100

1 Section 1. Section 598.10, Code 2015, is amended by adding
2 the following new subsection:

3 NEW SUBSECTION. 1A. Notwithstanding subsection 1, the
4 court shall not award visitation or temporary custody to a
5 party who is the biological parent of a child if the other
6 biological parent of the child has filed a termination of
7 parental rights petition based on the grounds specified in
8 section 600A.8, subsection 11, during the pendency of the
9 action.

10 Sec. 2. NEW SECTION. 598.41E Custody and visitation —
11 sexual abuse — pendency of termination of parental rights
12 action.

13 Notwithstanding section 598.41, custody and visitation shall
14 not be awarded to a party who is the biological parent of a
15 child if the other biological parent of the child has filed a
16 termination of parental rights petition based on the grounds
17 specified in section 600A.8, subsection 11, during the pendency
18 of the action.

19 Sec. 3. Section 600A.5, subsection 3, paragraph c, Code
20 2015, is amended to read as follows:

21 c. A plain statement of the facts and grounds in section
22 600A.8 which indicate that the parent-child relationship should
23 be terminated. If the grounds stated are those specified
24 in section 600A.8, subsection 11, relating to sexual abuse
25 perpetrated by the biological parent of the child, the
26 petitioner may also petition the court for a temporary order
27 and an injunction prohibiting the individual for whom the
28 petitioner is seeking termination of parental rights from
29 visiting or contacting the child alleging facts sufficient to
30 demonstrate that such prohibition is in the best interest of
31 the child.

32 Sec. 4. Section 600A.6, subsection 1, Code 2015, is amended
33 to read as follows:

34 1. a. A termination of parental rights under this chapter
35 shall, unless provided otherwise in this section, be ordered

LSB 1939YH (2) 86

-1-

pf/nh

1/4



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

H.F. 100

1 only after notice has been served on all necessary parties and
2 these parties have been given an opportunity to be heard before
3 the juvenile court except that notice need not be served on the
4 petitioner or on any necessary party who is the spouse of the
5 petitioner.

6 b. (1) "Necessary party" means any person whose name,
7 residence, and domicile are required to be included on the
8 petition under section 600A.5, subsection 3, paragraphs "a"
9 and "b", and any putative father who files a declaration of
10 paternity in accordance with section 144.12A, or any unknown
11 putative father, if any, ~~except a biological parent who has~~
12 ~~been convicted of having sexually abused the other biological~~
13 ~~parent while not cohabiting with that parent as husband and~~
14 ~~wife, thereby producing the birth of the child who is the~~
15 ~~subject of the termination proceedings.~~

16 (2) "Necessary party" does not include an individual
17 who may be the biological parent of a child conceived as a
18 result of sexual abuse perpetrated by the individual, if the
19 individual has been convicted of sexual abuse. An individual
20 who is not a necessary party and is not served notice under
21 this subparagraph does not have standing to appear and
22 contest a petition for the termination of parental rights,
23 present evidence relevant to the issue of disposition, or make
24 alternative dispositional recommendations.

25 Sec. 5. Section 600A.7, Code 2015, is amended by adding the
26 following new subsection:

27 NEW SUBSECTION. 4. The grounds specified in section
28 600A.8, subsection 11, relating to conception of the child
29 as the result of sexual abuse may be proven by evidence of
30 a conviction of sexual abuse committed, during the possible
31 time of conception, against the other biological parent of the
32 child.

33 Sec. 6. Section 600A.8, Code 2015, is amended by adding the
34 following new subsection:

35 NEW SUBSECTION. 11. A biological parent of the child who

LSB 1939YH (2) 86

-2-

pf/nh

2/4



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

H.F. 100

1 is the subject of the termination of parental rights has been
2 convicted of sexual abuse against the other biological parent
3 of the child and the child was conceived as a result of the
4 sexual abuse.

5 EXPLANATION

6 The inclusion of this explanation does not constitute agreement with
7 the explanation's substance by the members of the general assembly.

8 This bill relates to the termination of parental rights of
9 and the awarding of visitation and custody to a biological
10 parent whose parentage is the result of the biological parent's
11 perpetration of sexual abuse on the other biological parent,
12 for which the biological parent has been convicted of sexual
13 abuse, resulting in the conception of the child.

14 Under Code chapter 598, the bill provides that the court
15 shall not award either temporary or permanent visitation or
16 custody to a party who is the biological parent of a child
17 if the other biological parent of the child has filed a
18 termination of parental rights petition based on the grounds
19 that the conception of the child is the result of sexual abuse
20 perpetrated by the biological parent against the biological
21 parent filing the petition, during the pendency of the
22 termination of parental rights action.

23 Under Code chapter 600A, the bill provides that in a
24 termination of parental rights action, one of the grounds for
25 termination is that a biological parent of the child who is the
26 subject of the termination of parental rights was convicted
27 of sexual abuse against the other biological parent of the
28 child and the child was conceived as a result of the sexual
29 abuse. Under the bill, in the petition for termination of
30 an individual's parental rights based on sexual abuse that
31 resulted in the conception of a child, the petitioner may
32 request a temporary order and injunction prohibiting that
33 individual from visiting or contacting the child. The bill
34 also provides that a "necessary party" who is required to be
35 served notice of a termination of parental rights proceeding

LSB 1939YH (2) 86
pf/nh

3/4



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

H.F. 100

1 does not include an individual who may be the biological parent
2 of a child conceived as a result of sexual abuse perpetrated
3 by the individual, if the individual has been convicted of
4 sexual abuse. Such individual also does not have standing to
5 appear and contest a petition for the termination of parental
6 rights, present evidence relevant to the issue of disposition,
7 or make alternative dispositional recommendations. The bill
8 provides that in the hearing on termination of parental rights,
9 the grounds relating to conception of the child as the result
10 of sexual abuse may be proven by evidence of a conviction of
11 sexual abuse committed, during the possible time of conception,
12 against the other biological parent of the child.



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

House File 101 - Introduced

HOUSE FILE 101

BY HEARTSILL, HOLT, SALMON,
GASSMAN, FISHER, SHEETS,
KOOIKER, and WATTS

A BILL FOR

1 An Act relating to the granting of a marriage license when the
2 parties are of the same gender and the related appellate
3 jurisdiction of the supreme court.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

H.F. 101

1 Section 1. Section 595.3, Code 2015, is amended by adding
2 the following new subsection:

3 NEW SUBSECTION. 6. Where both parties are of the same
4 gender.

5 Sec. 2. COUNTY REGISTRAR DUTIES AND CONSTITUTIONAL
6 AMENDMENT. Pursuant to section 595.3, subsection 6, as
7 enacted in this Act, the county registrar shall not grant a
8 marriage license where both parties are of the same gender
9 until such time as an amendment to the Constitution of
10 the State of Iowa defining marriage as the legal union of
11 one man and one woman is submitted to the electorate for
12 ratification. Following submission of such amendment to the
13 electorate for ratification, if the amendment is ratified, the
14 prohibition against a county registrar granting a marriage
15 license to parties of the same gender shall continue to
16 be enforced following the effective date of the amendment.
17 Following submission of such amendment to the electorate for
18 ratification, if the amendment is not ratified, section 595.3,
19 subsection 6, as enacted in this Act, is repealed upon the
20 official certification of the vote.

21 Sec. 3. APPELLATE JURISDICTION. The supreme court shall
22 not have appellate jurisdiction over any prohibitions or
23 restrictions established by this Act relating to the granting
24 of a marriage license in this state.

25 EXPLANATION

26 The inclusion of this explanation does not constitute agreement with
27 the explanation's substance by the members of the general assembly.

28 This bill provides that a marriage license shall not be
29 granted where both parties are of the same gender. The bill
30 directs that the county registrar shall not grant a marriage
31 license where both parties are of the same gender until such
32 time as an amendment to the Constitution of the State of Iowa
33 defining marriage as the legal union of one man and one woman
34 is submitted to the electorate for ratification. Following
35 submission of the amendment to the electorate for ratification,

LSB 1357YH (3) 86

-1-

pf/rj

1/2



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

H.F. 101

1 if the amendment is not ratified, the provision prohibiting the
2 granting of a marriage license where both parties are of the
3 same gender is repealed upon the official certification of the
4 vote.

5 The bill also provides that the supreme court does not have
6 appellate jurisdiction over any prohibitions or restrictions
7 established by the bill relating to the granting of a marriage
8 license in this state.



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

House File 102 - Introduced

HOUSE FILE 102
BY KOESTER and HEDDENS

A BILL FOR

1 An Act relating to the elimination of the exemption of gaming
2 floors from the prohibitions of the smokefree air Act.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 1091YH (2) 86
pf/nh



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

H.F. 102

1 Section 1. Section 142D.4, subsection 10, Code 2015, is
2 amended by striking the subsection.

3 EXPLANATION

4 The inclusion of this explanation does not constitute agreement with
5 the explanation's substance by the members of the general assembly.

6 This bill eliminates the exception under the smokefree air
7 Act (Code chapter 142D), allowing smoking on the gaming floors
8 of the premises licensed pursuant to Code chapter 99F (gambling
9 structures, excursion gambling boats, and racetracks). The
10 bill thereby subjects the entirety of these premises to the
11 smoking prohibitions of the Act.



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

House File 103 - Introduced

HOUSE FILE 103

BY PETTENGILL, LANDON, ROGERS,
GASSMAN, GUSTAFSON, HANUSA,
BEST, R. TAYLOR, SALMON,
FISHER, and HUSEMAN

A BILL FOR

1 An Act providing for the recognition of reserve forces and
2 national guard veteran status on driver's licenses and
3 nonoperator's identification cards.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

H.F. 103

1 Section 1. Section 321.189, subsection 8, Code 2015, is
2 amended to read as follows:

3 8. *Veterans status.*

4 a. A licensee who is an honorably discharged veteran of the
5 armed forces of the United States may request that the license
6 be marked to reflect the licensee's veteran status. Upon such
7 a request, the word "VETERAN" shall be marked prominently on
8 the face of the license. Such a license shall be issued only
9 upon receipt of satisfactory proof of veteran status pursuant
10 to procedures established by the department in consultation
11 with the department of veterans affairs.

12 b. A licensee who is an honorably discharged veteran of
13 the armed forces military reserve of the United States or
14 the national guard of any state who served on active duty
15 other than training may request that the license be marked to
16 reflect the licensee's veteran status. Upon such a request,
17 the words "RESERVE FORCES VETERAN" or "NATIONAL GUARD VETERAN"
18 shall be marked prominently on the face of the license. Such
19 a license shall be issued only upon receipt of satisfactory
20 proof of veteran status pursuant to procedures established by
21 the department in consultation with the department of veterans
22 affairs.

23 Sec. 2. Section 321.190, subsection 1, paragraph b,
24 subparagraph (4), Code 2015, is amended to read as follows:

25 (4) A nonoperator's identification card issued to an
26 honorably discharged veteran of the armed forces of the United
27 States who satisfies the requirements of section 321.189,
28 subsection 8, paragraph "a", shall contain the same information
29 as any other nonoperator's identification card except the word
30 "VETERAN" shall appear prominently on the face of the card.

31 Sec. 3. Section 321.190, subsection 1, paragraph b, Code
32 2015, is amended by adding the following new subparagraph:

33 NEW SUBPARAGRAPH. (5) A nonoperator's identification card
34 issued to an honorably discharged veteran of the armed forces
35 military reserve of the United States or the national guard of

LSB 1594YH (3) 86

-1-

ns/nh

1/2



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

H.F. 103

1 any state who satisfies the requirements of section 321.189,
2 subsection 8, paragraph "b", shall contain the same information
3 as any other nonoperator's identification card except the words
4 "RESERVE FORCES VETERAN" or "NATIONAL GUARD VETERAN" shall
5 appear prominently on the face of the card.

6 EXPLANATION

7 The inclusion of this explanation does not constitute agreement with
8 the explanation's substance by the members of the general assembly.

9 Current law provides for the recognition of veteran status
10 on the driver's licenses and nonoperator's identification
11 cards of honorably discharged veterans of the armed forces of
12 the United States. The bill provides for the recognition of
13 reserve forces or national guard veteran status on the driver's
14 licenses and nonoperator's identification cards of honorably
15 discharged reserve forces or national guard veterans who served
16 on active duty other than training. The license or card is
17 issued only upon receipt of satisfactory proof of veteran
18 status pursuant to procedures established by the department of
19 transportation in consultation with the department of veterans
20 affairs.



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

House File 104 - Introduced

HOUSE FILE 104
BY PETTENGILL

A BILL FOR

1 An Act relating to the property tax exemption for the value
2 added by certain geothermal heating or cooling systems and
3 including applicability provisions.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 1665YH (2) 86
md/sc



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

H.F. 104

1 Section 1. Section 427.1, subsection 38, paragraphs a and b,
2 Code 2015, are amended to read as follows:

3 a. The value added by any new or refitted construction or
4 installation of a geothermal heating or cooling system on or
5 after July 1, 2012, on property classified as residential,
6 or the value added by any new or refitted construction or
7 installation of a geothermal heating or cooling system on or
8 after July 1, 2015, on property classified as multiresidential,
9 commercial, industrial, or agricultural. ~~The exemption~~
10 ~~shall be allowed for ten consecutive years.~~ The exemption
11 shall apply to any value added by the addition of mechanical,
12 electrical, plumbing, ductwork, or other equipment, labor,
13 and expenses included in or required for the construction
14 or installation of the geothermal system, as well as the
15 proportionate value of any well field associated with the
16 system and attributable to the owner.

17 b. A person claiming an exemption under this subsection
18 shall obtain the appropriate forms from the assessor. The
19 forms shall be prescribed by the director of revenue. The
20 claim shall be filed no later than February 1 of the first
21 assessment year the exemption is requested and shall contain
22 information pertaining to all costs and other information
23 associated with construction and installation of the system.
24 Once the exemption is allowed, the exemption shall continue to
25 be allowed for ~~ten consecutive~~ successive years without further
26 filing as long as the property continues to be classified as
27 residential, multiresidential, commercial, industrial, or
28 agricultural property.

29 Sec. 2. IMPLEMENTATION. Section 25B.7 does not apply to the
30 property tax exemption enacted in this Act.

31 Sec. 3. APPLICABILITY. This Act applies to assessment years
32 beginning on or after January 1, 2016.

33 EXPLANATION

34 The inclusion of this explanation does not constitute agreement with
35 the explanation's substance by the members of the general assembly.

LSB 1665YH (2) 86

-1-

md/sc

1/2



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

H.F. 104

1 Current Code section 427.1(38) provides a property
2 tax exemption on the value added by any new or refitted
3 construction or installation of a geothermal heating or cooling
4 system on or after July 1, 2012, on property classified as
5 residential. Under current law, that exemption is allowed for
6 10 consecutive years.

7 This bill authorizes the exemption for the refitted
8 construction or installation of a geothermal heating or cooling
9 system on property classified as multiresidential, commercial,
10 industrial, or agricultural property.

11 The bill also removes the 10-year limitation on the duration
12 of the exemption.

13 The bill makes inapplicable Code section 25B.7. Code
14 section 25B.7 provides that for a property tax credit or
15 exemption enacted on or after January 1, 1997, if a state
16 appropriation made to fund the credit or exemption is not
17 sufficient to fully fund the credit or exemption, the political
18 subdivision shall be required to extend to the taxpayer only
19 that portion of the credit or exemption estimated by the
20 department of revenue to be funded by the state appropriation.

21 The bill applies to assessment years beginning on or after
22 January 1, 2016.



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

House File 105 - Introduced

HOUSE FILE 105

BY R. TAYLOR, JONES, BACON,
HAGENOW, WINDSCHITL,
GRASSLEY, BYRNES, KAUFMANN,
COWNIE, LONDON, JORGENSEN,
BALTIMORE, MOORE, HEIN,
WILLS, FISHER, SHEETS,
NUNN, ROGERS, KLEIN, DRAKE,
BEST, GUSTAFSON, OURTH,
FORBES, DEYOE, KOESTER,
HANUSA, DOLECHECK, FRY,
VANDER LINDEN, HIGHFILL,
MAXWELL, PETTENGILL,
HEARTSILL, SODERBERG,
L. MILLER, UPMEYER,
STANERSON, and BAUDLER

A BILL FOR

1 An Act to provide that peace officers and retired peace
2 officers qualify as classroom driver education instructors.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 1633YH (2) 86
kh/nh



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

H.F. 105

1 Section 1. Section 272.31, Code 2015, is amended by adding
2 the following new subsection:

3 NEW SUBSECTION. 3A. The board shall issue a classroom
4 driver education instructor authorization for purposes of
5 section 321.178 to a person who completes a training program
6 that meets the standards set by the board, who complies with
7 rules adopted pursuant to subsection 4, and who is either a
8 peace officer as defined in section 801.4, subsection 11,
9 paragraph "a", "b", or "c", or is retired under chapter 97A or
10 411, or section 97B.49B or 97B.49C, after service as a peace
11 officer as defined in section 801.4, subsection 11, paragraph
12 "a", "b", or "c". The training program shall include but not
13 be limited to a minimum of fifteen contact hours in a program
14 consisting of instruction relating to classroom management,
15 strategies for learning, diversity, and ethics.

16 Sec. 2. Section 321.178, subsection 1, paragraph b,
17 subparagraph (1), Code 2015, is amended to read as follows:

18 (1) To be qualified as a classroom driver education
19 instructor, a person shall ~~have satisfied the educational~~
20 ~~requirements for a teaching~~ meet one of the following
21 requirements:

22 (a) Hold a valid teacher's license at the elementary or
23 secondary level and hold a valid license an endorsement to
24 teach driver education in the public schools of this state
25 issued under chapter 272.

26 (b) Be a peace officer as defined in section 801.4,
27 subsection 11, paragraph "a", "b", or "c", or be retired
28 under chapter 97A or 411, or section 97B.49B or 97B.49C,
29 after service as a peace officer as defined in section 801.4,
30 subsection 11, paragraph "a", "b", or "c", and meet the
31 requirements of section 272.31, subsection 3A.

32 EXPLANATION

33 The inclusion of this explanation does not constitute agreement with
34 the explanation's substance by the members of the general assembly.

35 This bill permits a person who is a peace officer or a

LSB 1633YH (2) 86

-1-

kh/nh

1/2



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

H.F. 105

1 retired peace officer to be qualified as a classroom driver
2 education instructor if the person also meets the board of
3 educational examiner's requirements for a classroom driver
4 education instructor authorization. Currently, only persons
5 holding a teaching license with an endorsement to teach driver
6 education may qualify to be a classroom driver education
7 instructor.

8 The bill directs the board of educational examiners to
9 issue a classroom driver education instructor authorization
10 to a person who completes a training program that meets the
11 standards set by the board and who is either a peace officer or
12 a retired peace officer. The training program shall include
13 but not be limited to a minimum of 15 contact hours in a program
14 consisting of instruction relating to classroom management,
15 strategies for learning, diversity, and ethics.

16 Under the bill, the term "peace officer" is limited to
17 sheriffs, deputy sheriffs, marshals and police officers of
18 cities, and peace officer members of the department of public
19 safety.



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

House File 106 - Introduced

HOUSE FILE 106

BY STAED, WINCKLER,
WESSEL-KROESCHELL,
HEDDENS, ANDERSON, BERRY,
THEDE, BROWN-POWERS,
McCONKEY, GASKILL, SMITH,
ABDUL-SAMAD, STECKMAN,
KEARNS, OURTH, HANSON,
HUNTER, MEYER, MASCHER,
LENSING, WOLFE, FORBES,
GAINES, KELLEY, OLSON,
DUNKEL, PRICHARD, OLDSON,
and RUFF

A BILL FOR

1 An Act relating to the establishment of a health workforce
2 center.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

H.F. 106

1 Section 1. FINDINGS AND INTENT.

2 1. The general assembly finds all of the following:

3 a. The majority of aging Iowans and individuals with
4 disabilities want to live as independently as possible in their
5 own communities for as long as possible.

6 b. The increasing number of aging Iowans and individuals
7 with disabilities requires a greater supply of health and
8 long-term care workers.

9 c. The safety and well-being of Iowans is dependent upon a
10 stable health and long-term care workforce to serve their needs
11 when and where such needs arise.

12 d. The direct care workforce is America's fastest growing
13 profession, with the need estimated by the state direct care
14 workforce initiative in Iowa to be 20,000 new direct care
15 positions by the year 2020. However, the number of individuals
16 who typically fill these positions, typically women between the
17 ages of 18 and 44, is dwindling, while those working in the
18 field experience an average annual turnover rate of between 40
19 and 60 percent.

20 e. High staff turnover cost taxpayers and the state millions
21 of dollars, annually, but more consistent and reliable data on
22 supply, demand, turnover, turnover costs, staffing levels, and
23 various data correlation and other analyses of this critical
24 workforce is needed.

25 f. Extensive work has already been done to study the issues
26 impacting the direct care workforce and other providers of
27 health and long-term care with significant public and private
28 sector investment, including:

29 (1) The direct care worker compensation advisory committee
30 which submitted recommendations for consideration by the
31 general assembly in the 2009 legislative session regarding
32 wages and other compensation paid to direct care workers in
33 nursing facilities. The recommendations included strategies
34 to improve wages and benefits paid to direct care workers
35 employed in Iowa's nursing facilities that, in time, would help

LSB 1487YH (4) 86

-1-

pf/nh

1/6



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

H.F. 106

1 to bridge the wage gap for direct care workers in home and
2 community-based and other settings if implemented.

3 (2) The various initiatives undertaken by the department of
4 public health including the direct care worker task force, the
5 governor's task force on the nursing shortage, the Alzheimer's
6 disease task force, the direct care workforce initiative,
7 and the personal and home care aide state training (PHCAST)
8 project undertaken through a federal grant awarded to only six
9 states in the country to develop and pilot a gold standard of
10 education and training for direct care workers.

11 (3) The development of a strategic plan for health care
12 delivery infrastructure and health care workforce resources by
13 the health and long-term care access advisory council released
14 in 2010.

15 (4) The accumulation of relevant data by various state
16 agencies regarding issues impacting the health and long-term
17 care workforce and the impact of not having a quality and
18 stable workforce.

19 g. All of these studies and initiatives and all of the
20 data collected have demonstrated consistent results, with the
21 overriding recommendation being that a point of coordination
22 should be established to address health and long-term care
23 workforce concerns.

24 h. (1) Iowa Code section 135.163 directs the department
25 of public health to coordinate public and private efforts
26 to develop and maintain an appropriate health care delivery
27 infrastructure and a stable, well-qualified, diverse, and
28 sustainable health care workforce in this state to address
29 the broad spectrum of health care needs of Iowans throughout
30 their lifespan including long-term care needs. At a minimum,
31 the department is to develop a strategic plan for health care
32 delivery infrastructure and health care workforce resources
33 in this state; provide for the continuous collection of data
34 to provide a basis for health care strategic planning and
35 health care policymaking; and make recommendations regarding

LSB 1487YH (4) 86

-2-

pf/nh

2/6



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

H.F. 106

1 the health care delivery infrastructure and the health care
2 workforce to assist in monitoring current needs, predicting
3 future trends, and informing policymaking.

4 (2) Iowa Code section 135.11, subsection 27, directs
5 the department of public health to establish and administer,
6 if sufficient funds are available, a program to assess and
7 forecast health workforce supply and demand in the state for
8 the purpose of identifying current and projected workforce
9 needs. The program may collect, analyze, and report data that
10 furthers the purpose of the program. The program shall not
11 release information that permits identification of individual
12 respondents of program surveys.

13 2. Given that the recommendations of all of the initiatives
14 and studies have consistently called for the establishment of
15 a point of coordination and given the leadership demonstrated
16 by the department of public health and the directives to the
17 department relating to the health and long-term care workforce,
18 it is the intent of the general assembly that an Iowa health
19 workforce center be established within the department of public
20 health to act as the state's coordination point to address
21 health workforce concerns.

22 a. It is the intent of the general assembly that the center
23 provide a home for direct care and other health workforce
24 initiatives across state government, charged with ensuring a
25 more coordinated effort to identify and address various needs
26 and solutions to workforce stability, and focusing on the
27 advancement of a significant body of research, programming, and
28 services proven to be effective in bringing more stability to
29 the health and long-term care workforce.

30 b. It is the intent of the general assembly that the
31 investment in existing and new strategies funded by the state
32 and the private sector, and carried out by the department, will
33 result in a return on investment through improved utilization
34 of tax dollars which has the potential to result in health care
35 cost containment and reduce Medicaid and other costs related to

LSB 1487YH (4) 86

-3-

pf/nh

3/6



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

H.F. 106

1 poor quality of care and staff turnover.

2 c. It is also the intent of the general assembly that the
3 center provide an opportunity to demonstrate Iowa's continued
4 leadership in the nation as a model in providing quality of
5 life for all of its citizens.

6 Sec. 2. NEW SECTION. 135.164A Iowa health workforce center
7 — established.

8 1. The department shall establish an Iowa health workforce
9 center to coordinate public and private health and long-term
10 care workforce efforts in the state.

11 2. At a minimum, the center shall do all of the following:

12 a. Provide for continuous data collection, management,
13 and analysis to ensure a basis for health care strategic
14 planning and health care policymaking, and for the making
15 of recommendations to assist in monitoring current needs,
16 predicting future trends, and informing policymaking.

17 b. Build a cohesive, collaborative, and comprehensive
18 network of public and private partnerships with a common
19 mission of ensuring a stable health and long-term care
20 workforce prepared to provide quality care and support to
21 Iowans and to provide the basic infrastructure and capacity
22 to advance existing bodies of work developed through these
23 efforts.

24 c. Examine the health care workforce from a systems-based
25 approach and find solutions to the problems the health care
26 system faces by bringing together stakeholders from education,
27 health professions, hospitals, and government to build
28 sustainable programs that solve the problems facing health
29 care workers and employers through health care workforce
30 innovations.

31 d. Coordinate recruitment, training, and retention efforts
32 and serve as an incubator for new recruitment, training, and
33 retention initiatives.

34 e. Undertake other activities as necessary to assist in
35 developing and maintaining a stable, well-qualified, diverse,

LSB 1487YH (4) 86

-4-

pf/nh

4/6



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

H.F. 106

1 and sustainable health care workforce which may appropriately
2 address the broad spectrum of health care needs of Iowans
3 across their ability level and throughout their lifespan.

4 **EXPLANATION**

5 The inclusion of this explanation does not constitute agreement with
6 the explanation's substance by the members of the general assembly.

7 This bill provides findings and intent of the general
8 assembly relating to the establishment of an Iowa health
9 workforce center.

10 The bill establishes the Iowa health workforce center in the
11 department of public health to coordinate public and private
12 health and long-term care workforce efforts in the state.
13 At a minimum, the center must provide for continuous data
14 collection, management, and analysis to provide a basis for
15 health care strategic planning and health care policymaking,
16 and to make recommendations to assist in monitoring current
17 needs, predicting future trends, and informing policymaking;
18 build a cohesive, collaborative, and comprehensive network
19 of public and private partnerships with a common mission of
20 ensuring a stable health and long-term care workforce prepared
21 to provide quality care and support to Iowans and provide
22 the basic infrastructure and capacity to advance existing
23 bodies of work developed through these efforts; examine
24 the health workforce from a systems-based approach and find
25 solutions to the problems by bringing together stakeholders
26 from education, health professions, hospitals, and government
27 to build sustainable programs that solve the problems facing
28 health care workers and employers through health care workforce
29 innovations; coordinate recruitment, training, and retention
30 efforts and serve as an incubator for new recruitment,
31 training, and retention initiatives; and undertake other
32 activities as necessary to assist in developing and maintaining
33 a stable, well-qualified, diverse, and sustainable health care
34 workforce which may appropriately address the broad spectrum
35 of health care needs of Iowans across their ability level and

LSB 1487YH (4) 86

-5-

pf/nh

5/6



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

H.F. 106

1 throughout their lifespan.



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

House File 107 - Introduced

HOUSE FILE 107
BY DAWSON

A BILL FOR

1 An Act to require owners or operators of certain child care
2 facilities and child care homes to provide evidence of
3 financial responsibility, providing a penalty, and including
4 applicability provisions.
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 1885YH (1) 86
av/sc



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

H.F. 107

1 Section 1. NEW SECTION. 237A.9 Evidence of financial
2 responsibility.

3 1. A person shall not establish or operate a child care
4 facility or child care home unless the person furnishes
5 evidence acceptable to the department of the person's ability
6 to respond in damages for liability on account of accidents or
7 wrongdoings occurring subsequent to the effective date of the
8 evidence of financial responsibility in the amount of at least
9 five hundred thousand dollars because of bodily injury to or
10 the death of one person in any one accident or incident arising
11 out of the ownership or operation of a child care facility or
12 child care home.

13 2. The evidence of financial responsibility shall
14 consist of a surety bond, a liability insurance policy, or an
15 irrevocable letter of credit issued by a financial institution.
16 The evidence of financial responsibility shall be maintained
17 at not less than the required amount at all times during the
18 period of ownership or operation of the child care facility or
19 child care home. The department may accept a certification
20 of the evidence of financial responsibility. The evidence
21 of financial responsibility shall pay the amount that the
22 beneficiary is legally obligated to pay as damages caused by
23 the operations of the person's child care facility or child
24 care home. A liability insurance policy shall be subject to
25 the insurer's policy provisions filed with and approved by the
26 commissioner of insurance.

27 3. The department shall be notified ten days prior to any
28 reduction in the surety bond or liability insurance made at the
29 request of the person or of cancellation of the surety bond by
30 the surety or of cancellation of the liability insurance by the
31 insurer. The department shall be notified ninety days prior
32 to any reduction of the amount of the irrevocable letter of
33 credit at the request of the person or of the cancellation of
34 the irrevocable letter of credit by the financial institution.
35 The total and aggregate liability of the surety, insurer,

LSB 1885YH (1) 86
av/sc

1/3

-1-



**Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015**

H.F. 107

1 or financial institution for all claims shall be limited to
2 the face of the surety bond, liability insurance policy, or
3 irrevocable letter of credit. However, the surety, insurer,
4 or issuer remains liable for damages arising from accidents or
5 other wrongdoings that occurred during the effective period of
6 the evidence of financial responsibility.

7 4. A license or certificate of registration shall not be
8 issued to a child care facility under this chapter unless the
9 applicant furnishes evidence acceptable to the department of
10 compliance with this section.

11 5. A person shall not establish or operate a child care
12 home unless the applicant furnishes evidence acceptable to the
13 department of compliance with this section.

14 6. The department shall adopt rules pursuant to chapter 17A
15 to administer the provisions of this section.

16 Sec. 2. Section 237A.19, Code 2015, is amended by adding the
17 following new subsection:

18 NEW SUBSECTION. 4. A person who establishes or operates a
19 child care facility or child care home in violation of section
20 237A.9 commits a simple misdemeanor. Each day of continuing
21 violation after conviction, or notice from the department by
22 certified mail of the violation, is a separate offense. A
23 single charge alleging a continuing violation may be made in
24 lieu of filing charges for each day of violation.

25 Sec. 3. APPLICABILITY. This Act applies to initial
26 applications and applications for renewal of licenses or
27 certificates of registration of child care facilities filed on
28 or after January 1, 2016, and to child care homes established
29 or in operation on or after January 1, 2016.

30 EXPLANATION

31 The inclusion of this explanation does not constitute agreement with
32 the explanation's substance by the members of the general assembly.

33 This bill requires that a person shall not establish or
34 operate a child care facility or child care home unless the
35 person furnishes evidence to the department of human services

LSB 1885YH (1) 86
av/sc

2/3

-2-



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

H.F. 107

1 of the person's ability to respond in damages for accidents or
2 wrongdoings that arise out of the ownership or operation of the
3 child care facility or child care home.

4 The evidence of financial responsibility must consist of a
5 surety bond, a liability insurance policy, or an irrevocable
6 letter of credit issued by a financial institution in the
7 amount of at least \$500,000 for damages because of bodily
8 injury to or the death of one person in any one accident or
9 incident arising out of the ownership or operation of a child
10 care facility or child care home.

11 The bill requires notice to the department of human services
12 if a surety bond, liability insurance, or irrevocable letter
13 of credit is reduced or canceled. The department is required
14 to adopt rules to administer the provisions of the bill. A
15 violation of the provisions of the bill is punishable as a
16 simple misdemeanor and can result in suspension or revocation
17 of the license or certificate of registration of a child care
18 facility. A simple misdemeanor is punishable by confinement
19 for no more than 30 days or a fine of at least \$65 but not more
20 than \$625 or by both.

21 Under Code chapter 237A, a child care facility includes a
22 child care center, which is a facility that provides child care
23 or preschool services for seven or more children and cannot
24 be established or operated without obtaining a license, and
25 includes a child development home, which is a person or program
26 that provides child care for six or more children and cannot
27 be established or operated without obtaining a certificate
28 of registration. A child care home is a person or program
29 providing child care to five or fewer children that is not
30 required to obtain a certificate of registration.

31 The bill is applicable to initial applications and
32 applications for renewal of licenses or certificates of
33 registration of child care facilities filed on or after January
34 1, 2016, and to child care homes established or in operation on
35 or after January 1, 2016.

LSB 1885YH (1) 86
av/sc

3/3



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

House File 95 - Introduced

HOUSE FILE 95

BY STAED, HUNTER, KEARNS,
McCONKEY, STUTSMAN, FORBES,
KELLEY, RUNNING-MARQUARDT,
ANDERSON, GASKILL, MEYER,
BEARINGER, WOLFE, SHEETS,
KAUFMANN, BYRNES, WINCKLER,
LENSING, BROWN-POWERS,
THEDE, H. MILLER, BERRY,
OURTH, HANSON, STECKMAN,
PRICHARD, ABDUL-SAMAD,
SMITH, RUFF, GAINES, KRESSIG,
WESSEL-KROESCHELL, DAWSON,
DUNKEL, T. TAYLOR, MASCHER,
COHOON, ISENHART, LYKAM,
KOESTER, JACOBY, OLDSON,
HALL, HEDDENS, OLSON,
FINKENAUER, HIGHFILL,
BENNETT, STANERSON, LANDON,
and R. TAYLOR

A BILL FOR

1 An Act relating to emergency food assistance and making
2 appropriations.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

H.F. 95

1 Section 1. NEW SECTION. 217.41B Emergency food assistance
2 — appropriation.

3 1. For the fiscal year beginning July 1, 2015, and for
4 each fiscal year thereafter through the fiscal year beginning
5 July 1, 2019, there is appropriated from the general fund of
6 the state to the department of human services one million
7 dollars for the support of an Iowa food bank association
8 selected by the department of human services for the purchase
9 of food on behalf of an Iowa emergency feeding organization or
10 for the distribution of moneys to the Iowa emergency feeding
11 organizations for the purchase of food.

12 2. The moneys appropriated in this section shall be
13 allocated only to the extent that such moneys are matched on a
14 dollar-for-dollar basis.

15 3. Notwithstanding section 8.33, moneys appropriated in
16 this section that remain unencumbered or unobligated at the
17 close of the fiscal year shall not revert but shall remain
18 available for expenditure for the purposes designated until the
19 close of the fiscal year beginning July 1, 2019.

20 4. This section is repealed July 1, 2020.

21 EXPLANATION

22 The inclusion of this explanation does not constitute agreement with
23 the explanation's substance by the members of the general assembly.

24 This bill creates a standing appropriation of \$1 million
25 from the general fund of the state for the fiscal year
26 beginning July 1, 2015, through the fiscal year beginning July
27 1, 2019, to the department of human services for support of an
28 Iowa food bank association to buy food on behalf of an Iowa
29 emergency feeding organization or distribute the moneys to such
30 organizations for the purchase of food.

31 The moneys appropriated shall only be allocated if it is
32 matched dollar-for-dollar. Any moneys unused during a fiscal
33 year shall remain available for the same purpose until the end
34 of the following fiscal year.

35 The new Code section created in the bill is repealed July 1,

LSB 1410YH (6) 86

-1-

rh/tm

1/2



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

H.F. 95

1 2020.



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

House File 96 - Introduced

HOUSE FILE 96
BY PETTENGILL

A BILL FOR

1 An Act providing for the regulation of transportation network
2 companies, and providing penalties.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 1566YH (7) 86
ns/nh



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

H.F. 96

1 Section 1. NEW SECTION. 321N.1 Short title.

2 This chapter shall be known and may be cited as the
3 "*Transportation Network Company Act*".

4 Sec. 2. NEW SECTION. 321N.2 Definitions.

5 As used in this chapter, unless the context otherwise
6 requires:

7 1. "*Local authorities*" means local authorities as defined
8 in section 321.1.

9 2. "*Participating driver*" or "*driver*" means a person who
10 operates a motor vehicle in connection with a transportation
11 network company's online-enabled application or platform to
12 offer or provide riders with transportation network company
13 services. "*Participating driver*" does not include a person
14 who provides services for, or who is under contract with, a
15 political subdivision or other entity exempt from federal
16 income tax under section 115 of the Internal Revenue Code. A
17 participating driver is not required to be an employee of a
18 transportation network company.

19 3. "*Transportation network company*" or "*company*"
20 means a person operating in this state that provides
21 prearranged transportation services for compensation using
22 an online-enabled application or platform to connect riders
23 with participating drivers. "*Transportation network company*"
24 does not include a motor carrier as defined in section 325A.1,
25 a private carrier as defined in section 325A.1, a charter
26 carrier as defined in section 325A.12, a common carrier, a
27 taxicab service, a transportation service arranged through
28 a transportation broker, a ridesharing arrangement, a
29 transportation service provided over fixed routes at regular
30 intervals, or a political subdivision or other entity exempt
31 from federal income tax under section 115 of the Internal
32 Revenue Code. A transportation network company is not required
33 to own, control, operate, or manage a motor vehicle operated by
34 a participating driver.

35 4. "*Transportation network company insurance*" means a

LSB 1566YH (7) 86

-1-

ns/nh

1/17



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

H.F. 96

1 liability policy that covers a participating driver's operation
2 of a motor vehicle while providing transportation network
3 company services or in connection with a transportation network
4 company's online-enabled application or platform.

5 5. *"Transportation network company rider" or "rider" means*
6 *a passenger being transported by a participating driver in*
7 *a motor vehicle that complies with the requirements of this*
8 *chapter. "Transportation network company rider" includes a*
9 *person or group of persons who use a transportation network*
10 *company's online-enabled application or platform to communicate*
11 *with a participating driver to obtain transportation network*
12 *company services in the driver's motor vehicle.*

13 6. *"Transportation network company services" or "services"*
14 *means the transportation of a rider by a driver with whom the*
15 *rider was matched through a transportation network company's*
16 *online-enabled application or platform.*

17 Sec. 3. NEW SECTION. 321N.3 Regulatory power — local
18 authorities — permits.

19 1. Notwithstanding any other provision of law to the
20 contrary, transportation network companies are governed
21 exclusively by this chapter.

22 2. A local authority shall not subject a transportation
23 network company or participating driver to rate, entry,
24 operational, or common carrier requirements, or any other
25 requirements, except as set forth in this chapter. A local
26 authority may enact an ordinance consistent with this chapter
27 relating to the administration of this chapter by the local
28 authority, including but not limited to ordinances relating to
29 permits, penalties, safety requirements, and proof of financial
30 liability coverage.

31 3. A taxicab or shuttle service provider that ceases to
32 provide taxicab or shuttle services and begins to provide
33 transportation network company services pursuant to this
34 chapter shall not be subject to local ordinances regulating
35 taxicab or shuttle services.

LSB 1566YH (7) 86
ns/nh

2/17



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

H.F. 96

1 4. If a rider files a complaint with a local authority
2 against a transportation network company or participating
3 driver, the local authority may inspect the company's records
4 as is reasonably necessary to investigate and resolve the
5 complaint.

6 5. a. A person shall not operate a transportation network
7 company in this state without a permit.

8 b. A local authority may issue a permit to a transportation
9 network company if the company satisfies the requirements of
10 this chapter and pays an annual fee, as determined by local
11 ordinance, equal to the reasonable costs to the local authority
12 of regulating transportation network companies divided by the
13 number of transportation network companies operating within the
14 jurisdiction of the local authority.

15 c. A local authority shall determine the form and manner of
16 an application for a transportation network company permit.

17 d. A local authority may deny a transportation network
18 company permit application or refuse to renew a permit if the
19 transportation network company has not paid a civil penalty
20 assessed by the local authority.

21 e. A local authority may suspend, revoke, alter, or amend a
22 permit issued to a transportation network company.

23 f. A local authority may assess a civil penalty against a
24 transportation network company or a participating driver only
25 as provided in this chapter.

26 Sec. 4. NEW SECTION. 321N.4 Insurance.

27 1. Notwithstanding any other provision of law to the
28 contrary, this chapter governs the requirements of insurance
29 policies issued to a transportation network company or a
30 participating driver and the obligations of the parties to the
31 insurance policies.

32 2. A transportation network company or a participating
33 driver shall maintain transportation network company insurance
34 as required by this section. A transportation network company
35 shall file proof of any transportation network company

LSB 1566YH (7) 86

-3-

ns/nh

3/17



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

H.F. 96

1 insurance maintained by the company, or by a driver with the
2 transportation network company, with the local authority in
3 the city or county in which the driver will be providing
4 transportation network company services.

5 3. From the moment in which a participating driver accepts
6 a request from a rider over the transportation network
7 company's online-enabled application or platform until the
8 moment the driver completes the transaction on the company's
9 online-enabled application or platform or the ride is complete,
10 whichever is later, the transportation network company
11 insurance shall provide for coverage in all of the following
12 amounts:

13 a. One million dollars for death, bodily injury, and
14 property damage resulting from any one accident.

15 b. Uninsured motorist coverage and underinsured motorist
16 coverage in the amounts required under section 516A.1.

17 c. Collision physical damage coverage and comprehensive
18 physical damage coverage in the amounts carried by the
19 participating driver for operation of the motor vehicle for
20 purposes other than those stated in this chapter, unless the
21 insurer providing the coverage for operation of the motor
22 vehicle for purposes other than those stated in this chapter is
23 also providing transportation network company insurance to the
24 driver.

25 4. a. Subject to paragraph "b", the requirements of
26 subsection 3 may be satisfied by any of the following:

27 (1) Transportation network company insurance maintained by
28 the participating driver.

29 (2) Transportation network company insurance maintained by
30 the transportation network company.

31 (3) A combination of subparagraphs (1) and (2).

32 b. Insurance maintained pursuant to paragraph "a",
33 subparagraph (1) or (3), shall satisfy the requirements of this
34 section only if the transportation network company verifies
35 that the participating driver maintains transportation network

LSB 1566YH (7) 86

-4-

ns/nh

4/17



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

H.F. 96

1 company insurance and the policy covers the driver's operation
2 of the motor vehicle in connection with the transportation
3 network company's online-enabled application or platform.

4 5. From the moment in which a participating driver logs
5 on to the transportation network company's online-enabled
6 application or platform until the driver accepts a request
7 from a rider over the company's online-enabled application or
8 platform, and from the moment in which the driver completes
9 the transaction on the company's online-enabled application or
10 platform or the ride is complete, whichever is later, until
11 the driver accepts another request from a rider over the
12 company's online-enabled application or platform or logs off
13 the online-enabled application or platform, the transportation
14 network company insurance shall provide for coverage in all of
15 the following amounts:

16 a. Coverage for bodily injury or death equal to or greater
17 than the amounts required under section 321A.1, subsection 11.

18 b. Uninsured motorist coverage and underinsured motorist
19 coverage in the amounts required under section 516A.1.

20 c. Collision physical damage coverage and comprehensive
21 physical damage coverage in the amounts carried by the
22 participating driver for operation of the motor vehicle for
23 purposes other than those stated in this chapter, unless the
24 insurer providing the coverage for operation of the motor
25 vehicle for purposes other than those stated in this chapter is
26 also providing transportation network company insurance to the
27 driver.

28 6. The requirements of subsection 5 may be satisfied by any
29 of the following:

30 a. Transportation network company insurance maintained by
31 the participating driver.

32 b. Transportation network company insurance maintained by
33 the transportation network company that provides financial
34 liability coverage in the event the participating driver's
35 insurance under paragraph "a" has ceased to exist or has

LSB 1566YH (7) 86

-5-

ns/nh

5/17



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

H.F. 96

1 been canceled, or the participating driver does not maintain
2 transportation network company insurance.

3 c. A combination of paragraphs "a" and "b".

4 7. Where the transportation network company insurance
5 maintained by a driver to satisfy the requirements of this
6 section lapses, is canceled, fails to provide coverage, denies
7 a claim, or ceases to exist for any reason, the transportation
8 network company insurance of the transportation network company
9 shall maintain the coverage required by this section beginning
10 with the first dollar of a claim.

11 8. An insurer providing transportation network
12 company insurance to a transportation network company or a
13 participating driver shall defend and indemnify the insured.
14 Coverage pursuant to a transportation network company insurance
15 policy shall not be contingent on the denial of a claim by
16 another insurer of the insured covered by the transportation
17 network company insurance.

18 9. a. From the moment in which a participating driver
19 logs on to the transportation network company's online-enabled
20 application or platform until the driver logs off the
21 online-enabled application or platform or the rider exits the
22 vehicle, whichever is later, all of the following apply:

23 (1) The participating driver's or the motor vehicle owner's
24 insurance policy shall not provide coverage to the driver, the
25 vehicle owner, or a third party, unless the policy explicitly
26 provides for coverage during the period of time this paragraph
27 "a" is applicable, with or without a separate premium, or the
28 policy contains an amendment or endorsement that explicitly
29 provides for coverage during the period of time this paragraph
30 "a" is applicable, and a separate premium is charged.

31 (2) The insurer of the participating driver or the motor
32 vehicle owner shall not have the duty to defend or indemnify
33 claims related to transportation network company services,
34 unless the policy explicitly provides for coverage during the
35 period of time this paragraph "a" is applicable, with or without

LSB 1566YH (7) 86

-6-

ns/nh

6/17



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

H.F. 96

1 a separate premium, or the policy contains an amendment or
2 endorsement that explicitly provides for coverage during the
3 period of time this paragraph "a" is applicable, and a separate
4 premium is charged.

5 **b.** Notwithstanding any other provision of law to the
6 contrary, an insurer may offer an insurance policy, or an
7 amendment or endorsement to an existing policy, that covers the
8 operation of a private passenger vehicle, station wagon-type
9 vehicle, sport utility vehicle, or a similar type of vehicle,
10 with a passenger capacity of eight persons or less, including
11 the driver, used to provide transportation network company
12 services, only where the policy explicitly provides for
13 coverage during the period of time paragraph "a" is applicable,
14 with or without a separate premium, or the policy contains an
15 amendment or endorsement that explicitly provides for coverage
16 during the period of time paragraph "a" is applicable, and a
17 separate premium is charged.

18 10. During the investigation of a claim, a transportation
19 network company or its insurer shall cooperate with the
20 other insurers involved in the investigation to facilitate
21 the exchange of information, including but not limited
22 to the dates and times during which an accident occurred
23 involving a participating driver, and the times during which
24 the participating driver was logged on to the transportation
25 network company's online-enabled application or platform.

26 11. A participating driver shall carry proof of
27 transportation network company insurance coverage at all
28 times during which the driver is operating the motor vehicle
29 in connection with a transportation network company's
30 online-enabled application or platform. In the event of an
31 accident, a participating driver shall provide the proof, upon
32 request, to a peace officer and any party to the accident.

33 **Sec. 5. NEW SECTION. 321N.5 Other motor vehicle**
34 **requirements.**

35 1. On behalf of a transportation network company, a

LSB 1566YH (7) 86

-7-

ns/nh

7/17



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

H.F. 96

1 mechanic certified by the national institute for automotive
2 service excellence or other nationally recognized certifying
3 organization shall conduct a safety inspection of the
4 motor vehicle of a person before the company permits the
5 person to act as a participating driver. Thereafter, a
6 mechanic certified by the national institute for automotive
7 service excellence or other nationally recognized certifying
8 organization shall conduct a safety inspection of the motor
9 vehicle at least once per year. A safety inspection required
10 by this subsection shall ensure the motor vehicle complies with
11 the applicable safety requirements for the permit issued by the
12 applicable local authority pursuant to section 321N.3.

13 2. A transportation network company, or a third party on
14 behalf of a transportation network company, shall retain an
15 accurate safety inspection record for the motor vehicle of a
16 participating driver for at least fourteen months after the
17 safety inspection was conducted.

18 3. A motor vehicle used to provide transportation network
19 company services shall display an exterior mark designating
20 the vehicle as a vehicle eligible to provide transportation
21 network company services pursuant to this chapter and any local
22 ordinance adopted by the applicable local authority pursuant
23 to section 321N.3.

24 Sec. 6. NEW SECTION. 321N.6 Driver requirements.

25 1. Before permitting a person to act as a participating
26 driver on its online-enabled application or platform, a
27 transportation network company shall verify that the person has
28 all of the following qualifications:

- 29 a. The person is at least twenty-one years of age.
30 b. The person possesses a valid Iowa driver's license.
31 c. The person possesses a valid proof of financial liability
32 coverage card as defined in section 321.1, subsection 54B,
33 for the motor vehicle to be used for providing transportation
34 network company services.
35 d. The person possesses a valid Iowa registration for the

LSB 1566YH (7) 86

-8-

ns/nh

8/17



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

H.F. 96

1 motor vehicle to be used for providing transportation network
2 company services.

3 *e.* After October 1, 2015, the person possesses proof that
4 the person is medically fit to drive, if such proof is required
5 by an ordinance adopted by the applicable local authority
6 pursuant to section 321N.3.

7 2. *a.* Before permitting a person to act as a participating
8 driver on its online-enabled application or platform for the
9 first time, and every three years thereafter, a transportation
10 network company shall review a report on the driving history
11 of the person. A person with any of the following shall not
12 qualify to be a participating driver:

13 (1) More than three moving violations in the three-year
14 period preceding the person's application to qualify to be a
15 participating driver.

16 (2) One or more moving violations punishable by more than a
17 scheduled fine in the three-year period preceding the person's
18 application to qualify to be a participating driver.

19 *b.* A transportation network company, or a third party on
20 behalf of a transportation network company, shall retain an
21 accurate driving history report for a participating driver for
22 at least three years after the last time the participating
23 driver logged on to the transportation network company's
24 online-enabled application or platform.

25 3. *a.* Before permitting a person to act as a participating
26 driver on its online-enabled application or platform for the
27 first time, and every five years thereafter, a transportation
28 network company shall perform a state criminal history
29 background check and a national criminal history background
30 check on the person. The company may charge the person a
31 fee for performing the background checks required by this
32 subsection. A person shall not qualify to be a participating
33 driver if any of the following are true:

34 (1) The person has been convicted of, or has pled guilty to,
35 violating section 321J.2 or 321J.2A, or any equivalent law of

LSB 1566YH (7) 86

-9-

ns/nh

9/17



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

H.F. 96

1 another state, in the seven-year period preceding the person's
2 application to qualify to be a participating driver.

3 (2) The person has been convicted of, or has pled guilty
4 to, a felony in the five-year period preceding the person's
5 application to qualify to be a participating driver.

6 (3) The person has been convicted of, or has pled guilty
7 to, an offense against property, an offense involving unlawful
8 sexual behavior, or an offense involving violence.

9 b. A transportation network company, or a third party on
10 behalf of a transportation network company, shall retain an
11 accurate criminal history record for a participating driver
12 for at least five years after the criminal history background
13 checks were performed.

14 4. A participating driver shall not provide services to
15 a rider unless a transportation network company has matched
16 the driver to the rider through the company's online-enabled
17 application or platform. A driver shall not solicit or accept
18 requests from a rider in any other manner, including a request
19 from a rider hailing the driver from the street.

20 5. A participating driver shall not offer transportation
21 network company services for more than sixteen hours, or
22 provide transportation network company services for more than
23 twelve hours, in any one twenty-four-hour period.

24 6. A transportation network company shall implement
25 a policy prohibiting the use of drugs or alcohol by a
26 participating driver while the driver is logged on to the
27 transportation network company's online-enabled application
28 or platform, or while the driver is providing transportation
29 network company services. The transportation network company
30 shall make the policy available on its internet site and
31 online-enabled application or platform.

32 Sec. 7. NEW SECTION. 321N.7 Disclosure requirements.

33 1. A transportation network company shall disclose all of
34 the following information to a participating driver in writing
35 prominently placed in the company's terms of service, which

LSB 1566YH (7) 86

-10-

ns/nh

10/17



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

H.F. 96

1 the driver shall sign, either physically or electronically,
2 before logging on to the company's online-enabled application
3 or platform for the first time:

4 a. The amounts and terms of liability coverage provided by
5 the company to the driver while the driver operates a motor
6 vehicle in connection with a transportation network company's
7 online-enabled application or platform.

8 b. That the driver's personal motor vehicle liability policy
9 may not provide coverage when the driver operates a motor
10 vehicle in connection with a transportation network company's
11 online-enabled application or platform.

12 c. That if the driver's motor vehicle has a lien against
13 it, the driver shall notify the lienholder that the driver
14 is operating the vehicle in connection with a transportation
15 network company's online-enabled application or platform.

16 2. A transportation network company shall make available to
17 prospective riders and drivers the method for determining the
18 fares and rates charged, and the option to receive an estimated
19 fare.

20 3. Upon completion of a prearranged ride, a transportation
21 network company shall transmit an electronic receipt to the
22 rider by electronic mail or text message containing all of the
23 following information:

24 a. The point of origin and the destination of the
25 prearranged ride.

26 b. The total duration and distance of the prearranged ride.

27 c. The total fare charged to the rider, including the base
28 fare and any additional charge incurred for the duration or
29 distance of the prearranged ride.

30 d. The driver's name and telephone number.

31 4. A transportation network company shall make available to
32 riders a customer support telephone number on its internet site
33 and online-enabled application or platform.

34 Sec. 8. NEW SECTION. **321N.8 Refusal of service.**

35 1. If a participating driver and a prospective rider

LSB 1566YH (7) 86

-11-

ns/nh

11/17



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

H.F. 96

1 are matched through a transportation network company's
2 online-enabled application or platform, the company and driver
3 shall provide services to the rider in a nondiscriminatory
4 manner. The driver shall not refuse to provide services to a
5 rider unless any of the following apply:

6 a. The rider is acting in an unlawful, disorderly, or
7 dangerous manner.

8 b. The rider is unable to care for himself or herself and is
9 not in the care of a responsible companion.

10 c. The driver has already committed to providing services
11 to another rider.

12 2. A participating driver shall immediately report the
13 driver's refusal to provide services to a rider pursuant
14 to subsection 1 to the transportation network company. A
15 transportation network company shall annually report all such
16 refusals to provide services by participating drivers within
17 the jurisdiction of a local authority to the local authority in
18 a form and manner determined by the local authority.

19 3. A transportation network company shall not impose any
20 additional fare, rate, or fee on a rider with a physical
21 or mental disability because of the rider's disability. A
22 participating driver shall permit a service dog or assistive
23 animal, as defined in section 216C.11, to accompany a rider on
24 a prearranged ride.

25 4. Within ten days of a rider submitting a complaint to
26 a local authority that a participating driver has violated a
27 provision of this section, the local authority shall report the
28 complaint to the transportation network company for which the
29 driver provides services.

30 5. A transportation network company is not liable for a
31 participating driver's violation of a provision of this section
32 unless the driver's violation has been previously reported to
33 the company in writing and the company failed to reasonably
34 address the driver's violation.

35 6. The local authority may assess a civil penalty of up to

LSB 1566YH (7) 86

-12-

ns/nh

12/17



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

H.F. 96

1 five hundred fifty dollars to a transportation network company
2 or a participating driver for a violation of this section.

3 Sec. 9. Section 321.1, subsection 8, Code 2015, is amended
4 by adding the following new paragraph:

5 NEW PARAGRAPH. *j.* A participating driver, as defined in
6 section 321N.2, is not a chauffeur.

7 Sec. 10. Section 325A.1, subsections 6, 7, and 13, Code
8 2015, are amended to read as follows:

9 6. "*Motor carrier*" means a person defined in subsection 8,
10 9, or 10, but does not include a transportation network company
11 or a participating driver, as defined in section 321N.2.

12 7. "*Motor carrier certificate*" means a certificate issued
13 by the department to any person transporting passengers on any
14 highway of this state for hire, other than a transportation
15 network company or a participating driver, as defined in
16 section 321N.2. This certificate is transferable.

17 13. "*Private carrier*" means a person who provides
18 transportation of property or passengers by motor vehicle,
19 is not a for-hire motor carrier or a transportation network
20 company or a participating driver, as defined in section
21 321N.2, or transports commodities of which the person is
22 the owner, lessee, or bailee and the transportation is a
23 furtherance of the person's primary business or occupation.

24 Sec. 11. Section 325A.11, Code 2015, is amended to read as
25 follows:

26 **325A.11 Passenger transportation.**

27 In addition to the requirements of subchapter 1, motor
28 carriers of passengers and charter carriers shall comply with
29 the requirements of this subchapter. A transportation network
30 company and a participating driver, as defined in section
31 321N.2, need not comply with the requirements of subchapter 1
32 or 2.

33 Sec. 12. Section 325A.12, subsection 3, Code 2015, is
34 amended by adding the following new paragraph:

35 NEW PARAGRAPH. *e.* A transportation network company or a

LSB 1566YH (7) 86

-13-

ns/nh

13/17



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

H.F. 96

1 participating driver, as defined in section 321N.2.

2 Sec. 13. Section 327D.1, Code 2015, is amended to read as
3 follows:

4 **327D.1 Applicability of chapter.**

5 This chapter applies to intrastate transportation by
6 for-hire common carriers of persons and property. However,
7 this chapter does not apply to regular route motor carriers
8 of passengers or charter carriers, as defined under section
9 325A.12, or a transportation network company or a participating
10 driver, as defined in section 321N.2.

11 **EXPLANATION**

12 The inclusion of this explanation does not constitute agreement with
13 the explanation's substance by the members of the general assembly.

14 This bill provides for the regulation of transportation
15 network companies (TNCs).

16 The bill defines a TNC as a person or entity that provides
17 prearranged transportation services for compensation using
18 an online-enabled application or platform to connect riders
19 with drivers. It does not include a motor carrier, a
20 private carrier, a charter carrier, a common carrier, a
21 taxicab service, a transportation service arranged through
22 a transportation broker, a ridesharing arrangement, a
23 transportation service provided over fixed routes at regular
24 intervals, or a political subdivision. A TNC is not required
25 to own, control, operate, or manage a motor vehicle operated
26 by a participating driver. The bill defines "participating
27 driver" as a person who operates a motor vehicle in connection
28 with a TNC's online-enabled application or platform to offer
29 or provide riders with TNC services. A participating driver
30 is not required to be an employee of a TNC. The bill further
31 defines "local authority", "transportation network company
32 insurance", "transportation network company rider", and
33 "transportation network company services".

34 The bill provides local authorities with limited regulatory
35 power over TNCs and drivers. A local authority may enact

LSB 1566YH (7) 86

-14-

ns/nh

14/17



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

H.F. 96

1 ordinances consistent with the bill, including but not
2 limited to ordinances related to permits, penalties, safety
3 requirements, and proof of financial liability coverage. The
4 bill permits local authorities to issue a permit to a TNC if
5 the TNC satisfies the requirements of the bill and pays an
6 annual fee.

7 The bill requires TNCs and drivers to carry certain amounts
8 of liability coverage specifically related to providing TNC
9 services. TNCs and drivers must file proof of the required
10 coverage with the applicable local authority. Where the TNC
11 insurance maintained by a driver to satisfy the requirements
12 of the bill lapses, is canceled, or ceases to exist for any
13 reason, the TNC is required to maintain coverage in the amounts
14 required by the bill. The bill provides for various terms,
15 conditions, and duties of the parties relating to TNC insurance
16 coverage. Drivers are required to carry proof of TNC insurance
17 coverage at all times during which the driver is operating
18 a motor vehicle in connection with a TNC's online-enabled
19 application or platform.

20 Before a driver can provide TNC services, the bill requires
21 the driver's vehicle to pass a safety inspection conducted by
22 a certified mechanic. After the initial inspection, annual
23 safety inspections are required. A TNC must retain an accurate
24 safety inspection record for the motor vehicle of a driver for
25 at least 14 months after the safety inspection was conducted.
26 A motor vehicle providing TNC services is required to display
27 an exterior mark designating the vehicle as a vehicle eligible
28 to provide TNC services.

29 To become a driver, the bill requires that a person must
30 be at least 21 years of age, possess a valid Iowa driver's
31 license, possess a valid proof of financial liability coverage
32 card, possess a valid Iowa registration, and, after October 1,
33 2015, possess proof that the person is medically fit to drive.
34 Persons with various moving violations or criminal convictions
35 are excluded from eligibility. A TNC must perform a driving

LSB 1566YH (7) 86

-15-

ns/nh

15/17



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

H.F. 96

1 history check every three years, and a criminal background
2 check every five years. A TNC must retain an accurate driving
3 history report for a driver for at least three years after the
4 last time the driver logged on to the TNC's online-enabled
5 application or platform, and an accurate criminal history
6 record for a driver for at least five years after the criminal
7 history background check was performed.

8 The bill prohibits a driver from soliciting or accepting
9 "street hails". A driver is also prohibited from offering
10 services for more than 16 hours, or providing services for more
11 than 12 hours, in any one 24-hour period. The bill requires
12 a TNC to implement a policy prohibiting the use of drugs or
13 alcohol by a driver while the driver is logged on to the TNC's
14 online-enabled application or platform, or while the driver is
15 providing services. The TNC is required to make the policy
16 available on its internet site and online-enabled application
17 or platform.

18 The bill further requires a TNC to disclose certain
19 information to drivers, including the amounts and terms of
20 liability coverage provided by the TNC to the driver while the
21 driver operates a motor vehicle in connection with the TNC's
22 online-enabled application or platform, and the fact that
23 the driver's personal motor vehicle liability policy may not
24 provide coverage when the driver operates a motor vehicle in
25 connection with a TNC's online-enabled application or platform.
26 If a driver's motor vehicle has a lien against it, the driver
27 must notify the lienholder that the driver is operating the
28 vehicle in connection with a TNC's online-enabled application
29 or platform.

30 The bill also requires TNCs to make available the method
31 of calculating fares, and the option to receive an estimated
32 fare. After a ride, a TNC must submit an electronic receipt to
33 the rider. In addition, a TNC must make available to riders
34 a customer support telephone number on its internet site and
35 online-enabled application or platform.

LSB 1566YH (7) 86

-16-

ns/nh

16/17



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

H.F. 96

1 The bill provides that TNCs and drivers shall provide
2 services to riders in a nondiscriminatory manner. The bill
3 further provides that a driver may only refuse service to a
4 rider if the rider is acting in an unlawful, disorderly, or
5 dangerous manner, the rider is unable to care for himself or
6 herself and is not in the care of a responsible companion,
7 or the driver has already committed to providing services to
8 another rider. The bill requires a driver to immediately
9 report to the TNC the driver's refusal to provide services to
10 a rider. The bill prohibits a TNC from imposing additional
11 fares, rates, or fees on a rider with a physical or mental
12 disability because of the rider's disability. The bill also
13 requires a driver to permit a service dog or assistive animal
14 to accompany a rider on a prearranged ride. The bill provides
15 that a local authority may assess a civil penalty of up to \$550
16 to a TNC or driver for a violation of these provisions.
17 The bill excludes TNCs and drivers from various definitions
18 and requirements relating to the transportation of passengers
19 for hire that appear elsewhere in the Code.



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

House File 97 - Introduced

HOUSE FILE 97
BY JONES

A BILL FOR

1 An Act relating to open enrollment of students in online
2 learning programs.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 1074YH (1) 86
je/sc

**Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015**

H.F. 97

1 Section 1. Section 256.7, subsection 32, paragraph c,
2 subparagraph (4), Code 2015, is amended by striking the
3 subparagraph.

EXPLANATION

5 The inclusion of this explanation does not constitute agreement with
6 the explanation's substance by the members of the general assembly.

7 Current law requires the state board of education to adopt
8 rules for online learning, including rules prohibiting the
9 open enrollment of students whose educational instruction and
10 course content are delivered primarily over the internet. An
11 exception to that prohibition requires the board to adopt rules
12 allowing such enrollment, with limitations on how many students
13 may be enrolled statewide and per school district. The
14 exception also limits such open enrollment to the CAM community
15 school district or the Clayton Ridge community school district
16 until June 30, 2015. This exception to the prohibition of open
17 enrollment in online learning is repealed by its own terms July
18 1, 2015.

19 This bill strikes the repeal, allowing the exception to
20 remain in effect, but only as to the limitation relating to the
21 number of online learning students open enrolled statewide and
22 per school district.



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

House File 98 - Introduced

HOUSE FILE 98
BY WESSEL-KROESCHELL and
DAWSON

A BILL FOR

1 An Act relating to notice requirements for child abuse
2 investigations by the department of human services.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSE 1112YH (4) 86
rh/nh



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

H.F. 98

1 Section 1. Section 232.71B, Code 2015, is amended by adding
2 the following new subsection:

3 NEW SUBSECTION. 2A. *Notice of rights.*

4 a. (1) Upon commencing an assessment, the department, at
5 the time of an initial face-to-face contact with the person
6 responsible for the care of the child, shall provide that
7 person with written notice of all of the following:

8 (a) The person responsible for the care of the child is
9 not required to permit the child protection worker to enter
10 the residence of the person responsible for the care of the
11 child. However, if permission is refused, the juvenile court
12 or district court may authorize the child protection worker to
13 enter the home to interview or observe the child upon a showing
14 of probable cause.

15 (b) The person responsible for the care of the child is not
16 required to speak with the child protection worker.

17 (c) The person responsible for the care of the child is
18 entitled to seek the representation of an attorney and to have
19 an attorney present when the person responsible for the care of
20 the child is questioned by the child protection worker.

21 (d) Any statement made by the person responsible for
22 the care of the child or other family member may be used
23 against the person responsible for the care of the child in an
24 administrative or court proceeding.

25 (e) The child protection worker is not an attorney and
26 cannot provide legal advice to the person responsible for the
27 care of the child.

28 (f) The person responsible for the care of the child is not
29 required to sign any document presented by the child protection
30 worker including but not limited to a release of claims or a
31 service agreement, and is entitled to have an attorney review
32 such document before agreeing to sign the document.

33 (g) A failure of the person responsible for the care of the
34 child to communicate with the child protection worker may have
35 serious consequences, which may include the department's filing

LSB 1112YH (4) 86

-1-

rh/nh

1/4



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

H.F. 98

1 of a petition for the removal of the child from the home of the
2 person responsible for the care of the child, and it is in the
3 best interest of the person responsible for the care of the
4 child to speak with the child protection worker or immediately
5 seek the advice of a qualified attorney.

6 (2) The child protection worker shall request the person
7 responsible for the care of the child to sign and date the
8 notice described in subparagraph (1) as evidence of having
9 received the notice. If the person responsible for the
10 care of the child refuses to sign and date the notice upon
11 such request, the child protection worker shall specifically
12 indicate on the notice that the person responsible for the care
13 of the child was requested to sign and date the notice and
14 refused to do so and the child protection worker shall sign the
15 notice as witness to the refusal by the person responsible for
16 the care of the child to sign the notice. The department shall
17 provide the person responsible for the care of the child with
18 a copy of the signed notice at the time of the department's
19 initial face-to-face contact with the person responsible for
20 the care of the child.

21 b. Notwithstanding paragraph "a", if an initial contact
22 with the person responsible for the care of the child occurs
23 telephonically, the department shall orally provide that person
24 with notice of that person's rights as described in paragraph
25 "a", subparagraph (1), subparagraph divisions (a) through (g).
26 If the department has provided oral notice pursuant to this
27 paragraph, the department shall also provide written notice
28 as described in paragraph "a" upon the department's initial
29 face-to-face contact with the person responsible for the care
30 of the child.

31 c. The department shall make reasonable efforts to ensure
32 that the notice provided to a person responsible for the care
33 of the child pursuant to this section is provided in a manner
34 that will be understood by the person responsible for the care
35 of the child. For purposes of this paragraph, "reasonable

LSB 1112YH (4) 86
rh/nh

2/4

-2-



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

H.F. 98

1 *efforts* includes but is not limited to ensuring that the notice
2 is provided in language understood by the person responsible
3 for the care of the child.

4 *d.* Any statement made by the person responsible for
5 the care of the child, or by a child who is a member of the
6 person's family or household to the child protection worker
7 prior to the provision of notice as described in paragraph
8 *"a"*, or any statement made by the person responsible for
9 the care of the child prior to the provision of notice as
10 described in paragraph *"b"*, shall be deemed inadmissible in any
11 administrative or court proceeding.

12 *e.* For purposes of this subsection only, *"person responsible*
13 *for the care of the child"* means a person responsible for the
14 care of the child as described in section 232.68, subsection 8,
15 paragraphs *"a"* and *"b"*.

16 EXPLANATION

17 The inclusion of this explanation does not constitute agreement with
18 the explanation's substance by the members of the general assembly.

19 This bill adds a notice of rights requirement to department
20 of human services (DHS) child abuse investigations. The bill
21 requires a DHS child protection worker to provide written
22 notice to a person responsible for the care of the child when
23 DHS conducts an initial face-to-face contact with that person.
24 "Person responsible for the care of the child" is defined as
25 a parent, guardian, foster parent, or relative or any other
26 person with whom the child resides and who assumes care or
27 supervision of the child.

28 The bill also requires DHS to provide oral notice to a person
29 responsible for the care of the child when DHS conducts an
30 initial contact telephonically. If a DHS child protection
31 worker has face-to-face contact with the person responsible for
32 the care of the child after an initial telephone contact, the
33 DHS worker must provide written notice at the first initial
34 face-to-face contact as well.

35 The notice must provide that the person responsible for

LSB 1112YH (4) 86

-3-

rh/nh

3/4



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

H.F. 98

1 the care of the child is not required to allow the DHS child
2 protection worker into the residence, is not required to
3 speak to the DHS child protection worker, is entitled to seek
4 representation of an attorney, and is not required to sign any
5 document presented by the DHS child protection worker. The
6 notice must also provide that any statement made by the person
7 responsible for the care of the child or other family member
8 may be used against the person, that the DHS child protection
9 worker is not an attorney and cannot provide legal advice,
10 and that the person's failure to communicate with the child
11 protection worker may have serious consequences.

12 The bill requires DHS to make reasonable efforts to provide
13 the notice in a manner which the person responsible for the
14 care of the child can understand. The written notice for
15 face-to-face contacts must be signed and dated.

16 The bill provides that any statement made by the person
17 responsible for the care of the child, or by a child who
18 is a family member of that person, is inadmissible in any
19 administrative or court proceeding prior to the provision
20 of the written notice. Additionally, any statement made
21 by the person responsible for the care of the child is
22 inadmissible in any administrative or court proceeding prior to
23 provision of oral notice when an initial contact was conducted
24 telephonically.



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

House File 99 - Introduced

HOUSE FILE 99

BY HEARTSILL, GUSTAFSON, HOLT,
BAUDLER, SALMON, GASSMAN,
WINDSCHITL, FISHER,
HIGHFILL, MOMMSEN, SHEETS,
BAXTER, BEST, KOOIKER,
WATTS, NUNN, and LANDON

A BILL FOR

1 An Act relating to the possession of a pistol, revolver, or
2 ammunition by a person under fourteen years of age.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 1157YH (7) 86
jm/rj



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

H.F. 99

1 Section 1. Section 724.22, subsection 5, Code 2015, is
2 amended to read as follows:

3 5. A parent or guardian or spouse who is twenty-one years of
4 age or older, of a person ~~fourteen years of age but less than~~
5 below the age of twenty-one may allow the person to possess a
6 pistol or revolver or the ammunition therefor for any lawful
7 purpose while under the direct supervision of the parent or
8 guardian or spouse who is twenty-one years of age or older, or
9 while the person receives instruction in the proper use thereof
10 from an instructor twenty-one years of age or older, with the
11 consent of such parent, guardian or spouse.

12 EXPLANATION

13 The inclusion of this explanation does not constitute agreement with
14 the explanation's substance by the members of the general assembly.

15 This bill relates to the possession of a pistol, revolver, or
16 ammunition by a person under 14 years of age.

17 Under the bill, a parent, guardian, or spouse who is 21 years
18 of age or older, or another with the express consent of the
19 minor's parent, guardian, or spouse who is 21 years of age or
20 older, may allow a minor to possess a pistol or revolver or the
21 ammunition therefor, which then may be lawfully used. Current
22 law prohibits a parent, guardian, or spouse who is 21 years of
23 age or older from allowing a minor under 14 years of age from
24 possessing a pistol, revolver, or the ammunition.

25 Except for the circumstances under Code section 724.22(4)
26 (security personnel) or (5), a person who sells, loans, gives,
27 or makes available a pistol or revolver or ammunition for a
28 pistol or revolver to a person below the age of 21 commits a
29 serious misdemeanor for a first offense and a class "D" felony
30 for second and subsequent offenses.

31 An aggravated misdemeanor is punishable by confinement for
32 no more than two years and a fine of at least \$625 but not more
33 than \$6,250. A class "D" felony is punishable by confinement
34 for no more than five years and a fine of at least \$750 but not
35 more than \$7,500.

LSB 1157YH (7) 86

-1-

jm/rj

1/1



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

House Joint Resolution 4 - Introduced

HOUSE JOINT RESOLUTION 4
BY HEARTSILL, HOLT, WILLS,
BAUDLER, SALMON, GASSMAN,
FISHER, SHEETS, WINDSCHITL,
BAXTER, KOBIKER, and WATTS

HOUSE JOINT RESOLUTION

1 A Joint Resolution proposing an amendment to the Constitution
2 of the State of Iowa specifying marriage between one man
3 and one woman as the only legal union that is valid or
4 recognized in the state.
5 BE IT RESOLVED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 1164YH (3) 86
pf/rj



**Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015**

H.J.R. 4

1 Section 1. The following amendment to the Constitution of
2 the State of Iowa is proposed:

3 Article I of the Constitution of the State of Iowa is amended
4 by adding the following new section:

5 **Marriage.** SEC. 26. Marriage between one man and one woman
6 shall be the only legal union valid or recognized in this
7 state.

8 Sec. 2. REFERRAL AND PUBLICATION. The foregoing amendment
9 to the Constitution of the State of Iowa is referred to the
10 general assembly to be chosen at the next general election
11 for members of the general assembly, and the secretary of
12 state is directed to cause the same to be published for three
13 consecutive months previous to the date of that election as
14 provided by law.

EXPLANATION

16 The inclusion of this explanation does not constitute agreement with
17 the explanation's substance by the members of the general assembly.

18 This joint resolution proposes an amendment to the
19 Constitution of the State of Iowa specifying that marriage
20 between one man and one woman shall be the only legal union
21 valid or recognized in this state.

22 The joint resolution, if adopted, would be referred to the
23 next general assembly for adoption a second time before being
24 submitted to the electorate for ratification.



**Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015**

House Resolution 6 - Introduced

HOUSE RESOLUTION NO. 6

BY GRASSLEY and DEYOE

1 A Resolution honoring the sesquicentennial anniversary
2 of Ellsworth Community College.

3 WHEREAS, Ellsworth Community College in Iowa Falls
4 was established in 1890 as the private Ellsworth
5 Academy by Professor John Tobin; and

6 WHEREAS, the institution was named after Eugene
7 Ellsworth, a prominent citizen who provided much of the
8 financing for the first building and subsequent growth
9 of the college; and

10 WHEREAS, the first classes began in 1890 with 50
11 students enrolled; and

12 WHEREAS, the citizens of Iowa Falls voted in 1928
13 to make Ellsworth a public junior college under
14 the dual jurisdiction of the Iowa Falls Community
15 School District and the Ellsworth College Board of
16 Trustees; and

17 WHEREAS, Ellsworth Community College became part
18 of Iowa Valley Community College District in 1968,
19 following establishment of the statewide system of
20 community colleges in 1965; and

21 WHEREAS, Ellsworth Community College continues
22 to honor the legacy of Eugene Ellsworth by helping
23 students solve problems, clarify options, broaden
24 their horizons, build on their strengths, set goals,
25 and achieve their dreams through a quality college
26 education; NOW THEREFORE,

27 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES,
28 That the House of Representatives congratulates the



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

H.R. 6

1 Ellsworth Community College administration, faculty,
2 and staff; the Ellsworth College Board of Trustees;
3 the Ellsworth College Foundation Board; and the Iowa
4 Valley Community College District as they celebrate 125
5 years of educational excellence at Ellsworth Community
6 College.



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

House Study Bill 76 - Introduced

HOUSE FILE _____
BY (PROPOSED COMMITTEE
ON COMMERCE BILL BY
CHAIRPERSON COWNIE)

A BILL FOR

1 An Act relating to electronic delivery and posting of insurance
2 notices and documents.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

H.F. _____

1 Section 1. Section 505B.1, subsection 2, Code 2015, is
2 amended to read as follows:

3 2. Subject to ~~subsection 4~~ the requirements of this section,
4 any notice to a party or any other document required under
5 applicable law in an insurance transaction or that is to serve
6 as evidence of insurance coverage may be delivered, stored, or
7 presented by electronic means so long as the notice or document
8 meets the requirements of chapter 554D.

9 Sec. 2. Section 505B.1, subsection 4, paragraph b, Code
10 2015, is amended by striking the paragraph and inserting in
11 lieu thereof the following:

12 *b.* The party, before giving consent, is provided with a
13 clear and conspicuous statement informing the party of the
14 following:

15 (1) The right of the party to withdraw consent to have a
16 notice or document delivered by electronic means at any time,
17 and any conditions or consequences imposed in the event consent
18 is withdrawn.

19 (2) The types of notices and documents to which the party's
20 consent applies.

21 (3) The right of a party to have a notice or document
22 delivered in paper form.

23 (4) The procedures a party must follow to withdraw consent
24 to have a notice or document delivered by electronic means or
25 to update the party's electronic mail address.

26 Sec. 3. Section 505B.1, subsection 4, Code 2015, is amended
27 by adding the following new paragraphs:

28 NEW PARAGRAPH. *0d.* On at least an annual basis, the insurer
29 notifies the party of the party's electronic mail address on
30 file with the insurer.

31 NEW PARAGRAPH. *00d.* The insurer takes measures reasonably
32 calculated to ensure that delivery of a notice or document by
33 electronic means results in receipt of the notice or document
34 by the party.

35 Sec. 4. Section 505B.1, subsection 4, paragraph d,

LSB 1726HC (4) 86
av/nh

1/6



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

H.F. _____

1 subparagraph (1), Code 2015, is amended to read as follows:

2 (1) Provides the party with a statement that describes all
3 of the following:

4 (a) The revised hardware and software requirements for
5 access to and retention of a notice or document delivered by
6 electronic means.

7 (b) The right of the party to withdraw consent without the
8 imposition of any ~~fee~~, condition, or consequence that was not
9 disclosed ~~under paragraph "b", subparagraph (2)~~ at the time of
10 initial consent.

11 Sec. 5. Section 505B.1, subsection 8, paragraph c, Code
12 2015, is amended to read as follows:

13 c. Failure by an insurer to comply with subsection 4,
14 ~~paragraph~~ paragraphs "od", "ood", and "d", may be treated,
15 at the election of the party, as a withdrawal of consent for
16 purposes of this section.

17 Sec. 6. Section 505B.1, subsection 10, Code 2015, is amended
18 to read as follows:

19 10. If the consent of a party to receive certain notices
20 or documents in an electronic form is on file with an insurer
21 before July 1, 2014, and pursuant to this section an insurer
22 intends to deliver additional notices or documents to such
23 party in an electronic form, then prior to delivering such
24 additional notices or documents electronically, the insurer
25 shall ~~notify the party~~ do all of the following:

26 a. Provide the party with a statement that describes all of
27 the following:

28 ~~a.~~ (1) The notices or documents that ~~may~~ will be delivered
29 by electronic means under this section that were not previously
30 delivered electronically.

31 ~~b.~~ (2) The party's right to withdraw consent to have
32 notices or documents delivered by electronic means without
33 the imposition of any condition or consequence that was not
34 disclosed at the time of initial consent.

35 b. Comply with all of the requirements of subsection 4,

LSB 1726HC (4) 86
av/nh

2/6



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

H.F. _____

1 paragraph "b".

2 Sec. 7. Section 505B.1, subsection 11, Code 2015, is amended
3 by striking the subsection and inserting in lieu thereof the
4 following:

5 11. An insurer shall deliver a notice or document by any
6 other delivery method permitted by law other than electronic
7 means if either of the following occurs:

8 a. The insurer attempts to deliver the notice or document by
9 electronic means and has a reasonable basis for believing that
10 the notice or document has not been received by the party.

11 b. The insurer becomes aware that the electronic mail
12 address provided by the party is no longer valid.

13 Sec. 8. Section 505B.1, Code 2015, is amended by adding the
14 following new subsection:

15 NEW SUBSECTION. 11A. An insurance producer licensed
16 pursuant to chapter 522B shall not be subject to civil
17 liability for any harm or injury that occurs as a result of a
18 party's consent to receive any notice or document by electronic
19 means or an insurer's failure to deliver a notice or document
20 by electronic means.

21 Sec. 9. Section 505B.2, Code 2015, is amended to read as
22 follows:

23 **505B.2 Posting of policies on the internet.**

24 1. Notwithstanding any contrary provision of chapter
25 554D, an insurer may mail, deliver, or post on the insurer's
26 internet site insurance documents, including policies, riders,
27 endorsements, and annuity contracts that do not contain
28 personally identifiable information. If the insurer elects
29 to post an insurance policy or endorsement on the insurer's
30 internet site in lieu of mailing or delivering the policy or
31 endorsement to the insured, the insurer must comply with all of
32 the following conditions:

33 ~~1.~~ a. The policy or endorsement must be accessible and
34 remain accessible to the insured and to the licensed insurance
35 producer of record for as long as the policy or endorsement is

LSB 1726HC (4) 86
av/nh

3/6



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

H.F. _____

1 in force.

2 ~~2.~~ b. After the expiration of the policy or endorsement,
3 the insurer must archive the expired policy or endorsement for
4 a period of five years or other period required by law, and
5 make the policy or endorsement available upon request.

6 ~~3.~~ c. The policy or endorsement must be posted in a manner
7 that enables the insured and the licensed insurance producer
8 of record to print and save the policy or endorsement using
9 programs and applications that are widely available on the
10 internet and free to use.

11 ~~4.~~ d. The insurer must provide the following information
12 in, or simultaneously with, each declarations page provided at
13 the time of issuance of the initial policy and any renewal of
14 that policy:

15 ~~a.~~ (1) A description of the exact policy or endorsement
16 purchased by the insured.

17 ~~b.~~ (2) ~~A method by which the insured may obtain description~~
18 of the insured's right to receive, upon request and without
19 charge, a paper copy of the insured's policy or endorsement by
20 mail.

21 ~~c.~~ (3) An internet address where the insured's policy or
22 endorsement is posted.

23 e. The insurer, upon request and without charge, must
24 deliver a paper copy of the policy or endorsements to the
25 insured by mail.

26 ~~5.~~ f. The insurer must provide notice, in the format
27 preferred by the insured, of any changes to the policy or
28 endorsement, the insured's right to obtain, upon request and
29 without charge, a paper copy of such policy or endorsement,
30 and the internet address where such policy or endorsement is
31 posted.

32 2. Nothing in this section shall be construed to affect
33 the timing or content of any notice or document required to be
34 provided or made available to any insured under applicable law.

35 EXPLANATION

LSB 1726HC (4) 86
av/nh

4/6



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

H.F. _____

1 The inclusion of this explanation does not constitute agreement with
2 the explanation's substance by the members of the general assembly.

3 This bill relates to the electronic delivery and posting of
4 insurance notices and documents. The bill provides that the
5 electronic delivery of such notices and documents by insurers
6 must meet the requirements of Code section 505B.1 as well as
7 the requirements of Code chapter 554D, which relates generally
8 to electronic transactions.

9 The bill provides that an insurance notice or document may
10 be delivered by electronic means if, before giving consent,
11 the party who is to receive the notice (an applicant, insured,
12 policyholder, or annuity contract holder) is provided with a
13 statement explaining the right to withdraw consent to such
14 delivery at any time, the types of notices and documents to
15 which consent applies, the right to have the notices and
16 documents in paper form, and the procedures to withdraw consent
17 or update the party's electronic mail address. The insurer
18 must also notify the party annually of the party's electronic
19 address that is on file for the party and take reasonable
20 measures to ensure that electronic delivery to the party is
21 successful.

22 If there is a change in hardware or software requirements
23 for access to or retention of electronic notices or documents,
24 the insurer must inform the party of the changes and the right
25 of the party to withdraw consent. Failure of an insurer to
26 comply with these requirements may be treated as a withdrawal
27 of consent.

28 If the insurer intends to electronically deliver additional
29 notices or documents to a party who has consented to such
30 delivery, the insurer must provide the party with a statement
31 describing what additional items will be electronically
32 delivered, and reiterate what consent means and the party's
33 right to withdraw such consent.

34 An insurer is required to deliver a notice or document by any
35 other delivery method permitted by law if the insurer attempts

LSB 1726HC (4) 86
av/nh

5/6



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

H.F. _____

1 an electronic delivery and reasonably believes the party did
2 not receive the notice or document, or the insurer becomes
3 aware that the party's electronic mail address is no longer
4 valid.

5 An insurance producer licensed pursuant to Code chapter 522B
6 shall not be subject to civil liability for any harm or injury
7 that occurs because of a party's consent to receive electronic
8 delivery or an insurer's failure to electronically deliver a
9 notice or document.

10 A policy or endorsement posted on an insurer's internet site
11 instead of being mailed or delivered must be accessible to
12 the insured and to the licensed insurance producer of record
13 for as long as the policy or endorsement is in force, must be
14 archived for a period of five years or other period required
15 by law, and must be posted in a manner that allows the insured
16 and the insurance producer to print the policy or endorsement.
17 The insurer must also provide information upon issuance of the
18 policy or upon renewal about the insured's right to request a
19 paper copy of the policy or endorsement by mail without charge.

20 The bill provides that nothing in Code section 505B.2 shall
21 be construed to affect the timing or content of any notice
22 or document required to be provided or made available to any
23 insured under applicable law.



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

House Study Bill 77 - Introduced

HOUSE FILE _____
BY (PROPOSED COMMITTEE ON
LABOR BILL BY CHAIRPERSON
FORRISTALL)

A BILL FOR

1 An Act relating to the auditing of certified employee
2 organizations under the public employment relations Act.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSE 1932YC (2) 86
je/rj



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

H.F. _____

1 Section 1. Section 20.25, subsection 7, Code 2015, is
2 amended to read as follows:

3 7. Upon the written request of any ~~member of~~ individual
4 represented by a certified employee organization, the auditor
5 of state may audit the financial records of the certified
6 employee organization.

7 EXPLANATION

8 The inclusion of this explanation does not constitute agreement with
9 the explanation's substance by the members of the general assembly.

10 Current law permits the auditor of state to audit the
11 financial records of an employee organization certified by the
12 public employment relations board upon the written request of
13 any member of the employee organization. This bill permits any
14 individual represented by such an organization to make such a
15 request.



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

House Study Bill 78 - Introduced

HOUSE FILE _____
BY (PROPOSED COMMITTEE ON
LABOR BILL BY CHAIRPERSON
FORRISTALL)

A BILL FOR

1 An Act relating to the financial records of and loans made by
2 employee organizations under the public employment relations
3 Act.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TL5B 1943YC (3) 86
je/rj



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

H.F. _____

1 Section 1. Section 20.25, subsection 3, paragraph a, Code
2 2015, is amended to read as follows:
3 a. Accurate accounts of all income and expenses shall be
4 kept, and annual financial report and audit shall be prepared~~r~~.
5 ~~such~~ Such accounts shall be open for inspection by any ~~member~~
6 ~~of individual represented by the organization~~r~~.~~ ~~and loans~~
7 Loans to officers and agents shall be made only on terms and
8 conditions available to all ~~members~~ individuals represented by
9 the organization.

10 EXPLANATION

11 The inclusion of this explanation does not constitute agreement with
12 the explanation's substance by the members of the general assembly.

13 Current law requires that accounts of income and expenses
14 kept by employee organizations under Code chapter 20, the
15 public employment relations Act, be open for inspection by
16 any member of the organization. This bill requires that such
17 accounts be open for inspection by any individual represented
18 by the organization.

19 Current law requires that loans by such organizations to
20 officers and agents of such organizations be made only on terms
21 and conditions available to all members of such organizations.
22 The bill requires that such loans be made only on terms and
23 conditions available to all individuals represented by such
24 organizations.



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

House Study Bill 79 - Introduced

HOUSE FILE _____
BY (PROPOSED COMMITTEE ON
LABOR BILL BY CHAIRPERSON
FORRISTALL)

A BILL FOR

1 An Act relating to the factors that must be considered by an
2 arbitrator for a public employee collective bargaining
3 agreement and including applicability provisions.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TL5B 1926YC (2) 86
je/rj



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

House Study Bill 80 - Introduced

HOUSE FILE _____
BY (PROPOSED COMMITTEE ON
LABOR BILL BY CHAIRPERSON
FORRISTALL)

A BILL FOR

1 An Act relating to certification of employee organizations by
2 the public employment relations board.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 1929YC (2) 86
je/rj



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

H.F. _____

1 Section 1. Section 20.25, subsection 6, Code 2015, is
2 amended to read as follows:

3 6. An employee organization that has not registered or
4 filed an annual report, or that has failed to comply with
5 other provisions of this chapter, shall not be certified.
6 Certified employee organizations failing to comply with this
7 chapter ~~may~~ shall have such certification revoked by the board.
8 Prohibitions may be enforced by injunction upon the petition
9 of the board to the district court of the county in which the
10 violation occurs. Complaints of violation of this section
11 shall be filed with the board.

12 EXPLANATION

13 The inclusion of this explanation does not constitute agreement with
14 the explanation's substance by the members of the general assembly.

15 Current law permits the public employment relations
16 board to revoke the board's certification of an employee
17 organization that fails to comply with Code chapter 20, the
18 public employment relations Act. This bill requires the board
19 to revoke such certifications.



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

House Study Bill 81 - Introduced

HOUSE FILE _____
BY (PROPOSED COMMITTEE ON
HUMAN RESOURCES BILL BY
CHAIRPERSON MILLER)

A BILL FOR

1 An Act relating to the regulation of tanning facilities and
2 making penalties applicable.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

H.F. _____

1 Section 1. NEW SECTION. 136D.3A Minors' use of tanning
2 devices prohibited.

3 A tanning facility shall not allow a person under eighteen
4 years of age to use a tanning device.

5 Sec. 2. Section 136D.4, subsection 1, paragraphs a and b,
6 Code 2015, are amended to read as follows:

7 a. A warning sign in a conspicuous location without
8 obstruction and readily visible to persons entering the
9 establishment. The signs shall comply with rules adopted by
10 the department.

11 b. A warning sign for each tanning device, in a conspicuous
12 location without obstruction and readily visible to a person
13 preparing to use the device. The sign shall comply with rules
14 adopted by the department.

15 Sec. 3. Section 136D.4, subsection 2, Code 2015, is amended
16 to read as follows:

17 2. A tanning facility shall provide each customer prior to
18 use of a tanning device with a written warning statement that
19 complies with rules adopted by the department.

20 EXPLANATION

21 The inclusion of this explanation does not constitute agreement with
22 the explanation's substance by the members of the general assembly.

23 This bill relates to tanning facilities and creates new Code
24 section 136D.3A prohibiting a tanning facility from allowing
25 individuals under 18 years of age to use a tanning device. The
26 bill also provides that warning signs be free from obstruction
27 and that a written warning statement be provided to each
28 customer prior to use of a tanning device.

29 A tanning facility that violates a provision of Code chapter
30 136D is subject to a civil penalty and injunctive relief.

LSB 1700HC (1) 86
rh/nh

1/1



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

House Study Bill 82 - Introduced

SENATE/HOUSE FILE _____
BY (PROPOSED DEPARTMENT OF
HUMAN SERVICES BILL)

A BILL FOR

1 An Act relating to the development of a prioritization policy
2 for the awarding of openings under Medicaid home and
3 community-based services waivers when the respective waiver
4 is subject to a waiting list.
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.F. _____ H.F. _____

1 Section 1. Section 249A.32A, Code 2015, is amended to read
2 as follows:

3 **249A.32A Home and community-based services waivers —**
4 **limitations.**

5 In administering a home and community-based services waiver,
6 the total number of openings at any one time shall be limited
7 to the number approved for the waiver by the secretary of the
8 United States department of health and human services. ~~The~~
9 ~~openings shall be available on a first-come, first-served~~
10 ~~basis.~~ The department shall develop, by administrative rule
11 pursuant to chapter 17A, a prioritization policy for the
12 awarding of openings under each of the home and community-based
13 services waivers to be implemented when the respective waiver
14 is subject to a waiting list.

15 EXPLANATION

16 The inclusion of this explanation does not constitute agreement with
17 the explanation's substance by the members of the general assembly.

18 This bill directs the department of human services to
19 develop, by administrative rule, a prioritization policy for
20 the awarding of openings under each of the Medicaid home and
21 community-based services waivers to be implemented when the
22 respective waiver is subject to a waiting list. Previously,
23 the openings were made available on a first-come, first-served
24 basis.



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

House Study Bill 83 - Introduced

SENATE/HOUSE FILE _____
BY (PROPOSED DEPARTMENT OF
PUBLIC HEALTH BILL)

A BILL FOR

1 An Act relating to programs and services under the purview
2 of the department of public health including the board of
3 hearing aid dispensers and the medical residency training
4 matching grants program and including effective date and
5 retroactive applicability provisions.
6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.F. _____ H.F. _____

1 DIVISION I

2 HEARING AID SPECIALISTS

3 Section 1. Section 147.1, subsections 3 and 6, Code 2015,
4 are amended to read as follows:

5 3. "*Licensed*" or "*certified*", when applied to a physician
6 and surgeon, podiatric physician, osteopathic physician and
7 surgeon, physician assistant, psychologist, chiropractor,
8 nurse, dentist, dental hygienist, dental assistant,
9 optometrist, speech pathologist, audiologist, pharmacist,
10 physical therapist, physical therapist assistant, occupational
11 therapist, occupational therapy assistant, orthotist,
12 prosthetist, pedorthist, respiratory care practitioner,
13 practitioner of cosmetology arts and sciences, practitioner
14 of barbering, funeral director, dietitian, marital and family
15 therapist, mental health counselor, social worker, massage
16 therapist, athletic trainer, acupuncturist, nursing home
17 administrator, hearing aid ~~dispenser~~ specialist, or sign
18 language interpreter or transliterator means a person licensed
19 under this subtitle.

20 6. "*Profession*" means medicine and surgery, podiatry,
21 osteopathic medicine and surgery, practice as a physician
22 assistant, psychology, chiropractic, nursing, dentistry,
23 dental hygiene, dental assisting, optometry, speech pathology,
24 audiology, pharmacy, physical therapy, physical therapist
25 assisting, occupational therapy, occupational therapy
26 assisting, respiratory care, cosmetology arts and sciences,
27 barbering, mortuary science, marital and family therapy, mental
28 health counseling, social work, dietetics, massage therapy,
29 athletic training, acupuncture, nursing home administration,
30 practice as a hearing aid dispensing specialist, sign language
31 interpreting or transliterating, orthotics, prosthetics, or
32 pedorthics.

33 Sec. 2. Section 147.2, subsection 1, Code 2015, is amended
34 to read as follows:

35 1. A person shall not engage in the practice of medicine

LSB 1222XD (10) 86

-1-

pf/nh

1/17



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.F. _____ H.F. _____

1 and surgery, podiatry, osteopathic medicine and surgery,
2 psychology, chiropractic, physical therapy, physical
3 therapist assisting, nursing, dentistry, dental hygiene,
4 dental assisting, optometry, speech pathology, audiology,
5 occupational therapy, occupational therapy assisting,
6 orthotics, prosthetics, pedorthics, respiratory care,
7 pharmacy, cosmetology arts and sciences, barbering, social
8 work, dietetics, marital and family therapy or mental health
9 counseling, massage therapy, mortuary science, athletic
10 training, acupuncture, nursing home administration, ~~hearing aid~~
11 ~~dispensing~~, or sign language interpreting or transliterating,
12 or shall not practice as a physician assistant or a hearing aid
13 specialist, unless the person has obtained a license for that
14 purpose from the board for the profession.

15 Sec. 3. Section 147.13, subsection 22, Code 2015, is amended
16 to read as follows:

17 22. For hearing aid ~~dispensing~~ specialists, the board of
18 hearing aid ~~dispensers~~ specialists.

19 Sec. 4. Section 147.14, subsection 1, paragraph v, Code
20 2015, is amended to read as follows:

21 v. For hearing aid ~~dispensers~~ specialists, three licensed
22 hearing aid ~~dispensers~~ specialists and two members who are not
23 licensed hearing aid ~~dispensers~~ specialists who shall represent
24 the general public. No more than two members of the board
25 shall be employees of, or ~~dispensers~~ specialists principally
26 for, the same hearing aid manufacturer.

27 Sec. 5. Section 154A.1, subsections 1, 3, 6, 7, and 9, Code
28 2015, are amended to read as follows:

29 1. "Board" means the board of hearing aid ~~dispensers~~
30 specialists.

31 3. "Dispense" or "sell" means a transfer of title or of
32 the right to use by lease, bailment, or any other means,
33 but excludes a wholesale transaction with a distributor or
34 ~~dispenser~~ hearing aid specialist, and excludes the temporary,
35 charitable loan or educational loan of a hearing aid without

LSB 1222XD (10) 86

-2-

pf/nh

2/17



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.F. _____ H.F. _____

1 remuneration.

2 6. "*Hearing aid fitting*" means the measurement of
3 human hearing by any means for the purpose of selections,
4 adaptations, and sales of hearing aids, ~~and~~ the instruction and
5 counseling pertaining ~~thereto~~ to the selections, adaptations,
6 and sales of hearing aids, ~~and~~ demonstration of techniques in
7 the use of hearing aids, and the making of earmold impressions
8 as part of the fitting of hearing aids.

9 7. "*License*" means a license issued by the state under this
10 chapter to a hearing aid ~~dispensers~~ specialist.

11 9. "*Temporary permit*" means a permit issued while the
12 applicant is in training to become a licensed hearing aid
13 ~~dispenser~~ specialist.

14 Sec. 6. Section 154A.1, subsection 5, Code 2015, is amended
15 by striking the subsection.

16 Sec. 7. Section 154A.1, Code 2015, is amended by adding the
17 following new subsection:

18 NEW SUBSECTION. 6A. "*Hearing aid specialist*" means any
19 person engaged in the fitting, dispensing, and sale of hearing
20 aids and providing hearing aid services or maintenance, by
21 means of procedures stipulated by this chapter or the board.

22 Sec. 8. Section 154A.13, Code 2015, is amended to read as
23 follows:

24 **154A.13 Temporary permit.**

25 A person who has not been licensed as a hearing aid ~~dispenser~~
26 specialist may obtain a temporary permit from the department
27 upon completion of the application accompanied by the written
28 verification of employment from a licensed hearing aid
29 ~~dispenser~~ specialist. The department shall issue a temporary
30 permit for one year which shall not be renewed or reissued.
31 The fee for issuance of the temporary permit shall be set by
32 the board in accordance with the provisions for establishment
33 of fees in section 147.80. The temporary permit entitles an
34 applicant to engage in the fitting or selection and sale of
35 hearing aids under the supervision of a person holding a valid

LSB 1222XD (10) 86

-3-

pf/nh

3/17



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.F. _____ H.F. _____

1 license.

2 Sec. 9. Section 154A.19, Code 2015, is amended to read as
3 follows:

4 **154A.19 Exceptions.**

5 1. This chapter shall not prohibit a corporation,
6 partnership, trust, association, or other organization
7 maintaining an established business address from engaging in
8 the business of selling or offering for sale hearing aids at
9 retail without a license if it employs only licensed hearing
10 aid ~~dispensers~~ specialists in the direct fitting or selection
11 and sale of hearing aids. Such an organization shall file
12 annually with the board a list of all licensed hearing aid
13 ~~dispensers~~ specialists and persons holding temporary permits
14 directly or indirectly employed by it. Such an organization
15 shall also file with the board a statement on a form approved
16 by the board that the organization submits itself to the rules
17 and regulations of the board and the provisions of this chapter
18 which the department deems applicable.

19 2. This chapter shall not apply to a person who engages
20 in the practices covered by this chapter if this activity is
21 part of the academic curriculum of an accredited institution of
22 higher education, or part of a program conducted by a public
23 or charitable institution, or nonprofit organization, unless
24 the institution or organization also dispenses or sells hearing
25 aids.

26 3. This chapter shall not prevent any person from engaging
27 in practices covered by this chapter, provided the person, or
28 organization employing the person, does not dispense or sell
29 hearing aids.

30 Sec. 10. Section 154A.20, Code 2015, is amended to read as
31 follows:

32 **154A.20 Rights of purchaser.**

33 1. A hearing aid ~~dispenser~~ specialist shall deliver, to
34 each person supplied with a hearing aid, a receipt which
35 contains the licensee's signature and shows the licensee's

LSB 1222XD (10) 86

-4-

pf/nh

4/17



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.F. _____ H.F. _____

1 business address and the number of the license, together with
2 specifications as to the make, model, and serial number of the
3 hearing aid furnished, and full terms of sale clearly stated,
4 including the date of consummation of the sale of the hearing
5 aid. If a hearing aid is sold which is not new, the receipt and
6 the container must be clearly marked "used" or "reconditioned",
7 with the terms of guarantee, if any.

8 2. The receipt shall bear the following statement in type no
9 smaller than the largest used in the body copy portion of the
10 receipt:

11 The purchaser has been advised that any examination or
12 representation made by a licensed hearing aid ~~dispenser~~
13 specialist in connection with the fitting or selection and
14 selling of this hearing aid is not an examination, diagnosis,
15 or prescription by a person licensed to practice medicine in
16 this state and therefore, must not be regarded as medical
17 opinion or advice.

18 3. Whenever any of the following conditions are found to
19 exist either from observations by the licensed hearing aid
20 ~~dispenser~~ specialist or person holding a temporary permit or on
21 the basis of information furnished by a prospective hearing aid
22 user, the hearing aid ~~dispenser~~ specialist or person holding a
23 temporary permit shall, prior to fitting and selling a hearing
24 aid to any individual, suggest to that individual in writing
25 that the individual's best interests would be served if the
26 individual would consult a licensed physician specializing
27 in diseases of the ear, or if no such licensed physician is
28 available in the community, then a duly licensed physician:

- 29 a. Visible congenital or traumatic deformity of the ear.
30 b. History of, or active drainage from the ear within the
31 previous ninety days.
32 c. History of sudden or rapidly progressive hearing loss
33 within the previous ninety days.
34 d. Acute or chronic dizziness.
35 e. Unilateral hearing loss of sudden or recent onset within

LSB 1222XD (10) 86

-5-

pf/nh

5/17



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.F. _____ H.F. _____

1 the previous ninety days.

2 *f.* Significant air-bone gap ~~{greater~~ greater than or equal
3 to 15dB ANSI 500, 1000 and 2000 Hz. ~~average}~~ average.

4 *g.* Obstruction of the ear canal, by structures of
5 undetermined origin, such as foreign bodies, impacted cerumen,
6 redness, swelling, or tenderness from localized infections of
7 the otherwise normal ear canal.

8 4. A copy of the written recommendation shall be retained by
9 the licensed hearing aid ~~dispenser~~ specialist for the period
10 of seven years. A person receiving the written recommendation
11 who elects to purchase a hearing aid shall sign a receipt for
12 the same, and the receipt shall be kept with the other papers
13 retained by the licensed hearing aid ~~dispenser~~ specialist for
14 the period of seven years. Nothing in this section required
15 to be performed by a licensed hearing aid ~~dispenser~~ specialist
16 shall mean that the hearing aid ~~dispenser~~ specialist is engaged
17 in the diagnosis of illness or the practice of medicine or any
18 other activity prohibited by this chapter.

19 5. No hearing aid shall be sold by any individual licensed
20 under this chapter to a person twelve years of age or younger,
21 unless within the preceding six months a recommendation for
22 a hearing aid has been made by a physician specializing in
23 otolaryngology. A replacement of an identical hearing aid
24 within one year shall be an exception to this requirement.

25 6. A licensed hearing aid ~~dispenser~~ specialist shall, upon
26 the consummation of a sale of a hearing aid, keep and maintain
27 records in the ~~dispenser's~~ specialist's office or place of
28 business at all times and each such record shall be kept
29 and maintained for a seven-year period. These records shall
30 include:

31 *a.* Results of test techniques as they pertain to fitting of
32 the hearing aids.

33 *b.* A copy of the written receipt and the written
34 recommendation.

35 Sec. 11. Section 154A.21, Code 2015, is amended to read as

LSB 1222XD (10) 86

-6-

pf/nh

6/17



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.F. _____ H.F. _____

1 follows:

2 **154A.21 Notice of address.**

3 1. A licensee or person holding a temporary permit shall
4 notify the department in writing of the address of the place
5 where the licensee or permittee engages or intends to engage in
6 business as a hearing aid ~~dispenser~~ specialist. The department
7 shall keep a record of the place of business of licensees and
8 persons holding temporary permits.

9 2. Any notice required to be given by the department to a
10 licensee shall be adequately served if sent by certified mail
11 to the address of the last place of business recorded.

12 Sec. 12. Section 154A.24, subsection 3, paragraphs e and i,
13 Code 2015, are amended to read as follows:

14 *e.* Representing that the service or advice of a person
15 licensed to practice medicine, or one who is certificated as
16 a clinical audiologist by the board of speech pathology and
17 audiology or its equivalent, will be used or made available in
18 the fitting or selection, adjustment, maintenance, or repair
19 of hearing aids when that is not true, or using the words
20 "doctor", "clinic", "clinical audiologist", "state approved",
21 or similar words, abbreviations, or symbols which tend to
22 connote the medical or other professions, except where the
23 title "certified hearing aid audiologist" has been granted
24 by the national hearing aid society, or that the hearing aid
25 ~~dispenser~~ specialist has been recommended by this state or the
26 board when such is not accurate.

27 *i.* Directly or indirectly giving or offering to give, or
28 permitting or causing to be given, money or anything of value
29 to a person who advises another in a professional capacity, as
30 an inducement to influence the person or cause the person to
31 influence others to purchase or contract to purchase products
32 sold or offered for sale by a hearing aid ~~dispenser~~ specialist,
33 or to influence others to refrain from dealing in the products
34 of competitors.

35 Sec. 13. Section 154A.25, subsection 2, Code 2015, is

LSB 1222XD (10) 86

-7-

pf/nh

7/17



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.F. _____ H.F. _____

1 amended to read as follows:

2 2. Purchase or procure by barter a license or temporary
3 permit with intent to use it as evidence of the holder's
4 qualifications to engage in business as a hearing aid ~~dispenser~~
5 specialist.

6 Sec. 14. Section 154F.2, subsection 1, paragraph b, Code
7 2015, is amended to read as follows:

8 b. Hearing aid fitting, the dispensing or sale of hearing
9 aids, and the providing of hearing aid service and maintenance
10 by a hearing aid ~~dispenser~~ specialist or holder of a temporary
11 permit as defined and licensed under chapter 154A.

12 Sec. 15. Section 154F.2, subsection 2, Code 2015, is amended
13 to read as follows:

14 2. A person exempted from the provisions of this chapter by
15 this section shall not use the title "speech pathologist" or
16 "audiologist" or any title or device indicating or representing
17 in any manner that the person is a speech pathologist or is
18 an audiologist; provided, a hearing aid ~~dispenser~~ specialist
19 licensed under chapter 154A may use the title "certified
20 hearing aid audiologist" when granted by the national hearing
21 aid society; and provided, persons who meet the requirements
22 of section 154F.3, subsection 1, who are certified by the
23 department of education as speech clinicians may use the title
24 "speech pathologist" and persons who meet the requirements
25 of section 154F.3, subsection 2, who are certified by the
26 department of education as hearing clinicians may use the
27 title "audiologist", while acting within the scope of their
28 employment.

29 Sec. 16. Section 216E.7, Code 2015, is amended to read as
30 follows:

31 **216E.7 Exemptions.**

32 This chapter does not apply to a hearing aid sold, leased,
33 or transferred to a consumer by an audiologist licensed under
34 chapter 154F, or a hearing aid ~~dispenser~~ specialist licensed
35 under chapter 154A, if the audiologist or ~~dispenser~~ specialist

LSB 1222XD (10) 86

-8-

pf/nh

8/17



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.F. _____ H.F. _____

1 provides either an express warranty for the hearing aid or
2 provides for service and replacement of the hearing aid.

3 Sec. 17. Section 272C.1, subsection 6, paragraph v, Code
4 2015, is amended to read as follows:

5 v. The board of hearing aid ~~dispensers~~ specialists, created
6 pursuant to chapter 154A.

7 DIVISION II

8 MEDICAL RESIDENCY TRAINING STATE MATCHING GRANTS PROGRAM —

9 REENACTMENT

10 Sec. 18. NEW SECTION. 135.176 **Medical residency training**
11 **state matching grants program.**

12 1. The department shall establish a medical residency
13 training state matching grants program to provide matching
14 state funding to sponsors of accredited graduate medical
15 education residency programs in this state to establish,
16 expand, or support medical residency training programs.
17 Funding for the program may be provided through the health
18 care workforce shortage fund or the medical residency training
19 account created in section 135.175. For the purposes of this
20 section, unless the context otherwise requires, “*accredited*”
21 means a graduate medical education program approved by the
22 accreditation council for graduate medical education or the
23 American osteopathic association. The grant funds may be
24 used to support medical residency programs through any of the
25 following:

26 a. The establishment of new or alternative campus accredited
27 medical residency training programs. For the purposes of
28 this paragraph, “*new or alternative campus accredited medical*
29 *residency training program*” means a program that is accredited
30 by a recognized entity approved for such purpose by the
31 accreditation council for graduate medical education or the
32 American osteopathic association with the exception that
33 a new medical residency training program that, by reason
34 of an insufficient period of operation is not eligible for
35 accreditation on or before the date of submission of an

LSB 1222XD (10) 86

-9-

pf/nh

9/17



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.F. _____ H.F. _____

1 application for a grant, may be deemed accredited if the
2 accreditation council for graduate medical education or the
3 American osteopathic association finds, after consultation with
4 the appropriate accreditation entity, that there is reasonable
5 assurance that the program will meet the accreditation
6 standards of the entity prior to the date of graduation of the
7 initial class in the program.

8 **b.** The provision of new residency positions within existing
9 accredited medical residency or fellowship training programs.

10 **c.** The funding of residency positions which are in excess of
11 the federal residency cap. For the purposes of this paragraph,
12 *"in excess of the federal residency cap"* means a residency
13 position for which no federal Medicare funding is available
14 because the residency position is a position beyond the cap for
15 residency positions established by the federal Balanced Budget
16 Act of 1997, Pub. L. No. 105-33.

17 2. The department shall adopt rules pursuant to chapter 17A
18 to provide for all of the following:

19 **a.** Eligibility requirements for and qualifications
20 of a sponsor of an accredited graduate medical education
21 residency program to receive a grant. The requirements and
22 qualifications shall include but are not limited to all of the
23 following:

24 (1) Only a sponsor that establishes a dedicated fund to
25 support a residency program that meets the specifications of
26 this section shall be eligible to receive a matching grant. A
27 sponsor funding residency positions in excess of the federal
28 residency cap, as defined in subsection 1, paragraph *"c"*,
29 exclusive of funds provided under the medical residency
30 training state matching grants program established in this
31 section, is deemed to have satisfied this requirement and
32 shall be eligible for a matching grant equal to the amount of
33 funds expended for such residency positions, subject to the
34 limitation on the maximum award of grant funds specified in
35 paragraph *"e"*.

LSB 1222XD (10) 86

-10-

pf/nh

10/17



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.F. _____ H.F. _____

1 (2) A sponsor shall demonstrate, through documented
2 financial information as prescribed by rule of the department,
3 that funds have been reserved and will be expended by the
4 sponsor in the amount required to provide matching funds for
5 each residency proposed in the request for state matching
6 funds.

7 (3) A sponsor shall demonstrate, through objective evidence
8 as prescribed by rule of the department, a need for such
9 residency program in the state.

10 *b.* The application process for the grant.

11 *c.* Criteria for preference in awarding of the grants,
12 including preference in the residency specialty.

13 *d.* Determination of the amount of a grant. The total amount
14 of a grant awarded to a sponsor shall be limited to no more
15 than twenty-five percent of the amount that the sponsor has
16 demonstrated through documented financial information has been
17 reserved and will be expended by the sponsor for each residency
18 sponsored for the purpose of the residency program.

19 *e.* The maximum award of grant funds to a particular
20 individual sponsor per year. An individual sponsor shall not
21 receive more than twenty-five percent of the state matching
22 funds available each year to support the program. However,
23 if less than ninety-five percent of the available funds has
24 been awarded in a given year, a sponsor may receive more than
25 twenty-five percent of the state matching funds available
26 if total funds awarded do not exceed ninety-five percent of
27 the available funds. If more than one sponsor meets the
28 requirements of this section and has established, expanded,
29 or supported a graduate medical residency training program,
30 as specified in subsection 1, in excess of the sponsor's
31 twenty-five percent maximum share of state matching funds, the
32 state matching funds shall be divided proportionately among
33 such sponsors.

34 *f.* Use of the funds awarded. Funds may be used to pay the
35 costs of establishing, expanding, or supporting an accredited

LSB 1222XD (10) 86

-11-

pf/nh

11/17



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.F. _____ H.F. _____

1 graduate medical education program as specified in this
2 section, including but not limited to the costs associated with
3 residency stipends and physician faculty stipends.

4 Sec. 19. EFFECTIVE DATE. This division of this Act, being
5 deemed of immediate importance, takes effect upon enactment.

6 Sec. 20. APPLICABILITY. This division of this Act applies
7 retroactively to June 30, 2014.

8 DIVISION III

9 MEDICAL RESIDENCY TRAINING STATE MATCHING GRANTS PROGRAM —

10 AMENDMENTS

11 Sec. 21. Section 135.176, as enacted in this Act, is amended
12 to read as follows:

13 135.176 Medical residency training state matching grants
14 program.

15 1. The department shall establish a medical residency
16 training state matching grants program to provide matching
17 state funding to sponsors of accredited graduate medical
18 education residency programs in this state to establish,
19 expand, or support medical residency training programs.
20 Funding for the program may be provided through the health
21 care workforce shortage fund or the medical residency training
22 account created in section 135.175. For the purposes of this
23 section, unless the context otherwise requires, "accredited"
24 means a graduate medical education program approved by the
25 accreditation council for graduate medical education or the
26 American osteopathic association. The grant funds may be
27 used to support medical residency programs through any of the
28 following:

29 a. The establishment of new or alternative campus accredited
30 medical residency training programs. For the purposes of
31 this paragraph, "new or alternative campus accredited medical
32 residency training program" means a program that is accredited
33 by a recognized entity approved for such purpose by the
34 accreditation council for graduate medical education or the
35 American osteopathic association with the exception that

LSB 1222XD (10) 86

-12-

pf/nh

12/17



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.F. _____ H.F. _____

1 a new medical residency training program that, by reason
2 of an insufficient period of operation is not eligible for
3 accreditation on or before the date of submission of an
4 application for a grant, may be deemed accredited if the
5 accreditation council for graduate medical education or the
6 American osteopathic association finds, after consultation with
7 the appropriate accreditation entity, that there is reasonable
8 assurance that the program will meet the accreditation
9 standards of the entity prior to the date of graduation of the
10 initial class in the program.

11 **b.** The provision of new residency positions within existing
12 accredited medical residency or fellowship training programs.

13 **c.** The funding of residency positions which are in excess of
14 the federal residency cap. For the purposes of this paragraph,
15 *"in excess of the federal residency cap"* means a residency
16 position for which no federal Medicare funding is available
17 because the residency position is a position beyond the cap for
18 residency positions established by the federal Balanced Budget
19 Act of 1997, Pub. L. No. 105-33.

20 **2.** The department shall adopt rules pursuant to chapter 17A
21 to provide for all of the following:

22 **a.** Eligibility requirements for and qualifications
23 of a sponsor of an accredited graduate medical education
24 residency program to receive a grant. The requirements and
25 qualifications shall include but are not limited to all of the
26 following:

27 **(1)** ~~Only a sponsor that establishes a dedicated fund to~~
28 ~~support a residency program that meets the specifications of~~
29 ~~this section shall be eligible to receive a matching grant. A~~
30 ~~sponsor funding residency positions in excess of the federal~~
31 ~~residency cap, as defined in subsection 1, paragraph "c",~~
32 ~~exclusive of funds provided under the medical residency~~
33 ~~training state matching grants program established in this~~
34 ~~section, is deemed to have satisfied this requirement and~~
35 ~~shall be eligible for a matching grant equal to the amount of~~

LSB 1222XD (10) 86

-13-

pf/nh

13/17



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.F. _____ H.F. _____

1 ~~funds expended for such residency positions, subject to the~~
2 ~~limitation on the maximum award of grant funds specified in~~
3 ~~paragraph "c".~~

4 ~~{2}~~ A sponsor shall demonstrate, ~~through documented~~
5 ~~financial information as prescribed by rule of the department,~~
6 that funds have been ~~reserved~~ budgeted and will be expended by
7 the sponsor in the amount required to provide matching funds
8 for each residency proposed in the request for state matching
9 funds.

10 ~~{3}~~ (2) A sponsor shall demonstrate, through objective
11 evidence as prescribed by rule of the department, a need for
12 such residency program in the state.

13 b. The application process for the grant.

14 c. Criteria for preference in awarding of the grants,
15 including preference in the residency specialty.

16 d. Determination of the amount of a grant. The total amount
17 of a grant awarded to a sponsor proposing the establishment
18 of a new or alternative campus accredited medical residency
19 training program as defined in subsection 1, paragraph "a",
20 shall be limited to no more than ~~twenty-five~~ one hundred
21 percent of the amount the sponsor has budgeted as demonstrated
22 under paragraph "a". The total amount of a grant awarded to
23 a sponsor proposing the provision of a new residency position
24 within an existing accredited medical residency or fellowship
25 training program as specified in subsection 1, paragraph "b"
26 or the funding of residency positions which are in excess of
27 the federal residency cap as defined in subsection 1, paragraph
28 "c", shall be limited to no more than twenty-five percent of
29 the amount that the sponsor has ~~demonstrated through documented~~
30 ~~financial information has been reserved and will be expended by~~
31 the sponsor budgeted for each residency position sponsored for
32 the purpose of the residency program.

33 e. The maximum award of grant funds to a particular
34 individual sponsor per year. An individual sponsor that
35 establishes a new or alternative campus accredited medical

LSB 1222XD (10) 86

-14-

pf/nh

14/17



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.F. _____ H.F. _____

1 residency training program as defined in subsection 1,
2 paragraph "a" shall not receive more than ~~twenty-five~~ fifty
3 percent of the state matching funds available each year to
4 support the program. ~~However, if less than ninety-five percent~~
5 ~~of the available funds has been awarded in a given year, a~~
6 ~~sponsor may receive more than twenty-five percent of the~~
7 ~~state matching funds available if total funds awarded do not~~
8 ~~exceed ninety-five percent of the available funds. If more~~
9 ~~than one sponsor meets the requirements of this section and~~
10 ~~has established, expanded, or supported a graduate medical~~
11 ~~residency training program, as specified in subsection 1, in~~
12 ~~excess of the sponsor's twenty-five percent maximum share of~~
13 ~~state matching funds, the state matching funds shall be divided~~
14 ~~proportionately among such sponsors. An individual sponsor~~
15 ~~proposing the provision of a new residency position within an~~
16 ~~existing accredited medical residency or fellowship training~~
17 ~~program as specified in subsection 1, paragraph "b" or the~~
18 ~~funding of residency positions which are in excess of the~~
19 ~~federal residency cap as defined in subsection 1, paragraph "c",~~
20 ~~shall not receive more than twenty-five percent of the state~~
21 ~~matching funds available each year to support the program.~~
22 f. Use of the funds awarded. Funds may be used to pay the
23 costs of establishing, expanding, or supporting an accredited
24 graduate medical education program as specified in this
25 section, including but not limited to the costs associated with
26 residency stipends and physician faculty stipends.

27 EXPLANATION

28 The inclusion of this explanation does not constitute agreement with
29 the explanation's substance by the members of the general assembly.

30 This bill relates to programs and services under the purview
31 of the department of public health.

32 Division I of the bill changes references to and relating
33 to "hearing aid dispensers" to "hearing aid specialists".
34 The bill changes the references to the "board of hearing aid
35 dispensers" to the "board of hearing aid specialists" and makes

LSB 1222XD (10) 86

-15-

pf/nh

15/17



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.F. _____ H.F. _____

1 other conforming changes throughout the Code.

2 Division II of the bill relates to the medical residency
3 training state matching grants program. The medical residency
4 training state matching grants program (Code section 135.176,
5 Code 2013), that was repealed on June 30, 2014, is reenacted
6 as amended by 2014 Iowa Acts, chapter 1190, section 7. The
7 division takes effect upon enactment and is retroactively
8 applicable to June 30, 2014.

9 Division III of the bill amends the newly reenacted Code
10 section 135.176, to provide that instead of a requirement that
11 a sponsor establish a dedicated fund to support a residency
12 program, a sponsor shall demonstrate that funds have been
13 budgeted in the amount required in the request for matching
14 funds. Additionally, the bill provides that the limit on the
15 total amount of a grant made to a sponsor is based upon the
16 type of residency position to be funded. Under the bill, the
17 limit is no more than 100 percent of the amount the sponsor
18 budgeted if the sponsor is proposing the establishment of
19 a new or alternative campus accredited medical residency
20 training program, and the limit is not more than 25 percent
21 of the amount the sponsor has budgeted if the sponsor is
22 proposing provision of a new residency position within an
23 existing accredited medical residency or fellowship training
24 program or the funding of residency positions which are in
25 excess of the federal residency cap. Under the bill, the
26 maximum award of grant funds to a particular sponsor that
27 establishes a new or alternative campus accredited medical
28 residency training program shall be not more than 50 percent
29 of the state matching funds available each year; and the
30 maximum award to a particular sponsor that is proposing
31 provision of a new residency position within an existing
32 accredited medical residency or fellowship training program
33 or the funding of residency positions which are in excess of
34 the federal residency cap shall not be more than 25 percent of
35 the state matching funds available each year. Under the bill,

LSB 1222XD (10) 86

-16-

pf/nh

16/17



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.F. _____ H.F. _____

1 unlike under the prior program, there is not a formula for the
2 awarding of funds if less than 95 percent of the available
3 funds were awarded.



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

House Study Bill 84 - Introduced

SENATE/HOUSE FILE _____
BY (PROPOSED DEPARTMENT OF
PUBLIC HEALTH BILL)

A BILL FOR

1 An Act relating to public health including public health
2 modernization and boards of health.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSE 1210XD (5) 86
pf/nh



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.F. _____ H.F. _____

1 DIVISION I
2 IOWA PUBLIC HEALTH MODERNIZATION ACT
3 Section 1. Section 135A.2, Code 2015, is amended to read as
4 follows:
5 135A.2 Definitions.
6 As used in this chapter, unless the context otherwise
7 requires, the following definitions apply:
8 1. "Academic institution" means an institution of higher
9 education in the state which grants undergraduate and
10 postgraduate degrees in public health or another health-related
11 field and is accredited by a nationally recognized accrediting
12 agency as determined by the United States secretary of
13 education. For purposes of this definition, "accredited" means
14 a certification of the quality of an institution of higher
15 education.
16 ~~2. "Accrediting entity" means a legal, independent,~~
17 ~~nonprofit or governmental entity or entities approved by the~~
18 ~~state board of health for the purpose of accrediting designated~~
19 ~~local public health agencies and the department pursuant to the~~
20 ~~voluntary accreditation program developed under this chapter.~~
21 ~~3. "Administration" means the operational procedures,~~
22 ~~personnel and fiscal management systems, and facility~~
23 ~~requirements that must be in place for the delivery and~~
24 ~~assurance of public health services.~~
25 ~~4. "Committee" means the governmental public health~~
26 ~~evaluation committee as established in this chapter.~~
27 ~~5. "Communication and information technology" means the~~
28 ~~processes, procedures, and equipment needed to provide public~~
29 ~~information and transmit and receive information among public~~
30 ~~health entities and community partners; and applies to the~~
31 ~~procedures, physical hardware, and software required to~~
32 ~~transmit, receive, and process electronic information.~~
33 ~~6.~~ 2. "Council" means the governmental public health
34 advisory council as established in this chapter.
35 ~~7.~~ 3. "Department" means the department of public health.

LSB 1210XD (5) 86

-1-

pf/nh

1/11



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.F. _____ H.F. _____

1 ~~8.~~ 4. "*Designated local public health agency*" means an
2 entity that is either governed by or contractually responsible
3 to a local board of health and designated by the local
4 board ~~to comply with the Iowa public health standards for a~~
5 ~~jurisdiction.~~

6 ~~9.~~ "*Governance*" ~~means the functions and responsibilities~~
7 ~~of the local boards of health and the state board of health to~~
8 ~~oversee governmental public health matters.~~

9 ~~10.~~ 5. "*Governmental public health system*" means ~~the system~~
10 ~~described in section 135A.6~~ local boards of health, the state
11 board of health, designated local public health agencies, the
12 state hygienic laboratory, and the department.

13 ~~11.~~ "*Iowa public health standards*" means ~~the governmental~~
14 ~~public health standards adopted by rule by the state board of~~
15 ~~health.~~

16 ~~12.~~ 6. "*Local board of health*" means a county or district
17 board of health.

18 ~~13.~~ 7. "*Organizational capacity*" means the governmental
19 public health infrastructure that must be in place in order to
20 deliver public health services.

21 ~~14.~~ "*Public health region*" means, ~~at a minimum, one of six~~
22 ~~geographical areas approved by the state board of health for~~
23 ~~the purposes of coordination, resource sharing, and planning~~
24 ~~and to improve delivery of public health services.~~

25 ~~15.~~ 8. "*Public health services*" means the basic public
26 health services that all Iowans should reasonably expect to be
27 provided by designated local public health agencies and the
28 department.

29 ~~16.~~ "*Voluntary accreditation*" means ~~verification of a~~
30 ~~designated local public health agency or the department that~~
31 ~~demonstrates compliance with the Iowa public health standards~~
32 ~~by an accrediting entity.~~

33 ~~17.~~ "*Workforce*" means ~~the necessary qualified and competent~~
34 ~~staff required to deliver public health services.~~

35 9. "*Public health system*" means all public, private, and

LSB 1210XD (5) 86

-2-

pf/nh

2/11



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.F. _____ H.F. _____

1 voluntary entities that contribute to the delivery of essential
2 public health services within a jurisdiction.

3 Sec. 2. Section 135A.3, Code 2015, is amended to read as
4 follows:

5 **135A.3 Governmental public health system modernization —**
6 **lead agency.**

7 ~~1.~~ The department is designated as the lead agency in this
8 state to administer this chapter.

9 ~~2. The department, in collaboration with the governmental~~
10 ~~public health advisory council and the governmental public~~
11 ~~health evaluation committee, shall coordinate implementation~~
12 ~~of this chapter including but not limited to the voluntary~~
13 ~~accreditation of designated local public health agencies and~~
14 ~~the department in accordance with the Iowa public health~~
15 ~~standards. Such implementation administration shall include~~
16 ~~evaluation of and quality improvement measures for the~~
17 ~~governmental public health system.~~

18 Sec. 3. Section 135A.4, Code 2015, is amended to read as
19 follows:

20 **135A.4 Governmental public health advisory council.**

21 1. A governmental public health advisory council is
22 established to advise the department and make policy
23 recommendations to the director of the department concerning
24 administration, implementation, and coordination of this
25 chapter and to make recommendations to the department and
26 the state board of health regarding the governmental public
27 health system. The council shall meet at least quarterly. The
28 council shall consist of no fewer than fifteen members and
29 no more than ~~twenty-three~~ twenty-eight members. The members
30 shall be appointed by the director. The director may solicit
31 and consider recommendations from professional organizations,
32 associations, and academic institutions in making appointments
33 to the council.

34 ~~2. Council members shall not be members of the governmental~~
35 ~~public health evaluation committee.~~

LSB 1210XD (5) 86

-3-

pf/nh

3/11



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.F. _____ H.F. _____

1 ~~3.~~ 2. Council members shall serve for a term of two years
2 and may be reappointed ~~for a maximum of three consecutive~~
3 ~~terms. Initial appointment shall be in staggered terms.~~
4 Vacancies shall be filled for the remainder of the original
5 appointment.

6 ~~4.~~ 3. The membership of the council shall satisfy all of
7 the following requirements:

8 ~~a. One member who has expertise in injury prevention.~~

9 ~~b. One member who has expertise in environmental health.~~

10 ~~c. One member who has expertise in emergency preparedness.~~

11 ~~d. One member who has expertise in health promotion and~~
12 ~~chronic disease prevention.~~

13 ~~e. One member who has epidemiological expertise in~~
14 ~~communicable and infectious disease prevention and control.~~

15 ~~f.~~ a. One member Twelve members representing each of
16 ~~Iowa's six public health regions who is various subfields~~
17 of public health. These members shall provide geographical
18 representation from all areas of the state. Each of these
19 members shall be an employee of a designated local public
20 health agency or member of a local board of health. Such
21 members shall include a minimum of one local public health
22 administrator and one physician member of a local board of
23 health.

24 ~~g.~~ b. Two members who are representatives of the
25 department.

26 ~~h.~~ c. The director of the state hygienic laboratory at the
27 university of Iowa, or the director's designee.

28 ~~i.~~ d. At least ~~one representative~~ two representatives
29 ~~from academic institutions which grant undergraduate and~~
30 ~~postgraduate degrees in public health or other related health~~
31 ~~field and are accredited by a nationally recognized accrediting~~
32 ~~agency as determined by the United States secretary of~~
33 ~~education. For purposes of this paragraph, "accredited" means~~
34 ~~a certification of the quality of an institution of higher~~
35 ~~education.~~

LSB 1210XD (5) 86

-4-

pf/nh

4/11



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.F. _____ H.F. _____

1 ~~f.~~ e. Two members who serve on a county board of
2 supervisors.
3 f. At least one economist who has demonstrated experience in
4 public health, health care, or a health-related field.
5 g. At least one research analyst.
6 ~~k.~~ h. Four nonvoting, ~~ex officio~~ members who shall consist
7 of four members of the general assembly, two from the senate
8 and two from the house of representatives, with not more than
9 one member from each chamber being from the same political
10 party. The two senators shall be designated, one member each,
11 by the majority leader of the senate after consultation with
12 the president and by the minority leader of the senate. The
13 two representatives shall be designated, one member each, by
14 the speaker of the house of representatives after consultation
15 with the majority leader of the house of representatives and by
16 the minority leader of the house of representatives.
17 ~~i.~~ i. A member of the state board of health who shall be a
18 nonvoting, ~~ex officio~~ member.
19 ~~5.~~ 4. The council may utilize other relevant public
20 health expertise when necessary to carry out its roles and
21 responsibilities.
22 ~~6.~~ 5. The council shall do all of the following:
23 a. Advise the department and make policy recommendations to
24 the director of the department and the state board of health
25 concerning administration, implementation, and coordination of
26 this chapter and the ~~governmental~~ public health system.
27 b. Propose to the director public health standards
28 that ~~should~~ may be utilized for ~~voluntary accreditation of~~
29 ~~designated local public health agencies and the department that~~
30 ~~include but are not limited to the organizational capacity and~~
31 by the governmental public health ~~service components described~~
32 ~~in section 135A.6, subsection 1, by October 1, 2009 system.~~
33 ~~c.~~ c. Recommend to the department an accrediting entity and
34 identify the roles and responsibilities for the oversight and
35 implementation of the voluntary accreditation of designated

LSB 1210XD (5) 86

-5-

pf/nh

5/11



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.F. _____ H.F. _____

1 ~~local public health agencies and the department by January 2,~~
2 ~~2010. This shall include completion of a pilot accreditation~~
3 ~~process for one designated local public health agency and the~~
4 ~~department by July 1, 2011. Develop and implement processes for~~
5 longitudinal evaluation of the public health system including
6 collection of information about organizational capacity and
7 public health services delivery.
8 ~~d. Recommend to the director strategies to implement~~
9 ~~voluntary accreditation of designated local public health~~
10 ~~agencies and the department effective January 2, 2012.~~
11 ~~e. Periodically review and make recommendations to the~~
12 ~~department regarding revisions to the public health standards~~
13 ~~pursuant to paragraph "b", as needed and based on reports~~
14 ~~prepared by the governmental public health evaluation committee~~
15 ~~pursuant to section 135A.5.~~
16 d. Determine what process and outcome improvements in the
17 governmental public health system are attributable to voluntary
18 accreditation.
19 e. Assure that the evaluation process is capturing data to
20 support key research in public health system effectiveness and
21 health outcomes.
22 f. Develop and make recommendations for improvements to the
23 public health system and for the health outcomes of Iowans.
24 g. Make recommendations for resources to support the public
25 health system.
26 ~~f. h.~~ h. Review rules developed and adopted by the state board
27 of health under this chapter and make recommendations to the
28 department for revisions to further promote implementation
29 of this chapter and modernization of the governmental public
30 health system.
31 ~~g. i.~~ i. Form and utilize subcommittees as necessary to carry
32 out the duties of the council.
33 j. Annually submit a report on the activities of the council
34 to the state board of health by July 1.
35 Sec. 4. Section 135A.8, subsections 2 and 3, Code 2015, are

LSB 1210XD (5) 86

-6-

pf/nh

6/11



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.F. _____ H.F. _____

1 amended to read as follows:

2 2. The fund is established to assist local boards of health
3 and the department with the provision of governmental public
4 health system organizational capacity and public health service
5 delivery and to achieve and maintain voluntary accreditation
6 ~~in accordance with the Iowa public health standards.~~ At least
7 seventy percent of the funds shall be made available to local
8 boards of health and up to thirty percent of the funds may be
9 utilized by the department.

10 3. Moneys in the fund may be allocated by the department
11 to a local board of health for organizational capacity and
12 service delivery. Such allocation may be made on a matching,
13 dollar-for-dollar basis for the acquisition of equipment,
14 or by providing grants to achieve and maintain voluntary
15 accreditation ~~in accordance with the Iowa public health~~
16 ~~standards.~~

17 Sec. 5. Section 135A.9, Code 2015, is amended to read as
18 follows:

19 **135A.9 Rules.**

20 The state board of health shall adopt rules pursuant to
21 chapter 17A to implement this chapter which shall include but
22 are not limited to the following:

23 ~~1. Incorporation of the Iowa public health standards~~
24 ~~recommended to the department pursuant to section 135A.4,~~
25 ~~subsection 6.~~

26 ~~2. A voluntary accreditation process to begin no later than~~
27 ~~January 2, 2012, for designated local public health agencies~~
28 ~~and the department.~~

29 ~~3. 1. Rules relating to the operation of the governmental~~
30 ~~public health advisory council.~~

31 ~~4. Rules relating to the operation of the governmental~~
32 ~~public health system evaluation committee.~~

33 ~~5. 2. The application and award process for governmental~~
34 ~~public health system fund moneys.~~

35 ~~6. Rules relating to data collection for the governmental~~

LSB 1210XD (5) 86

-7-

pf/nh

7/11



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.F. _____ H.F. _____

1 ~~public health system and the voluntary accreditation program.~~

2 7. 3. Rules otherwise necessary to implement the chapter.

3 Sec. 6. REPEAL. Sections 135A.5, 135A.6, 135A.7, and
4 135A.10, Code 2015, are repealed.

5 DIVISION II

6 STATE AND DISTRICT BOARDS OF HEALTH

7 Sec. 7. Section 136.3, subsection 5, Code 2015, is amended
8 by striking the subsection.

9 Sec. 8. Section 136.3, subsections 6 and 8, Code 2015, are
10 amended to read as follows:

11 6. Assure that the department complies with Iowa Code, and
12 ~~administrative rules, and the Iowa public health standards.~~

13 For this purpose the board shall have access at any time to all
14 documents and records of the department.

15 8. Advise or make recommendations to the director of public
16 health, governor, and general assembly relative to public
17 health and advocate for ~~state and local public health to comply~~
18 ~~with the Iowa~~ the importance of public health standards for
19 state and local public health.

20 Sec. 9. Section 137.102, subsection 10, Code 2015, is
21 amended by striking the subsection.

22 Sec. 10. Section 137.104, subsection 1, paragraph b,
23 unnumbered paragraph 1, Code 2015, is amended to read as
24 follows:

25 Make and enforce such reasonable rules and regulations not
26 inconsistent with law, and the rules of the state board, ~~or~~
27 ~~the Iowa public health standards~~ as may be necessary for the
28 protection and improvement of the public health.

29 Sec. 11. Section 137.105, subsection 1, paragraph c, Code
30 2015, is amended to read as follows:

31 c. All members of a district board shall be appointed by
32 the county board of supervisors from each county represented by
33 the district. Each county board of supervisors shall appoint
34 at least one but no more than three members to the district
35 board, ~~and each county board of supervisors shall appoint the~~

LSB 1210XD (5) 86

-8-

pf/nh

8/11



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.F. _____ H.F. _____

1 ~~same number of members to the district board. There shall~~
2 ~~be no more than one board of supervisors member from any~~
3 ~~participating county on the district board.~~

4 Sec. 12. Section 137.106, subsection 1, Code 2015, is
5 amended to read as follows:

6 1. A written narrative that explains how ~~the formation of a~~
7 district board will ~~increase organizational capacity and attain~~
8 the capability to provide population-based and personal public
9 health services ~~compared with operating as individual county~~
10 ~~boards.~~

11 Sec. 13. Section 137.111, Code 2015, is amended to read as
12 follows:

13 **137.111 District treasurer and auditor.**

14 Upon establishment of a district board, the district board
15 shall designate a treasurer ~~of a county within its jurisdiction~~
16 to serve as treasurer of the district health department, and
17 shall designate the an auditor ~~of the same county~~ to serve as
18 auditor of the district health department. A treasurer or
19 auditor of any county within the district may also serve in
20 the capacity as treasurer or auditor of the district health
21 department, respectively, or the district board may contract
22 with a third party to act as the treasurer or auditor of the
23 district health department. ~~The A county treasurer's and~~
24 ~~the or county auditor's official bonds shall bond may~~ extend
25 to cover their respective duties performed on behalf of the
26 district health department. ~~A county treasurer shall not serve~~
27 ~~in the capacity of district health department treasurer without~~
28 ~~consent from the county and agreement from the treasurer to~~
29 ~~perform this function, and a county auditor shall not serve~~
30 ~~in the capacity of district health department auditor without~~
31 ~~consent from the county and agreement from the auditor to~~
32 ~~perform this function.~~

33 EXPLANATION

34 The inclusion of this explanation does not constitute agreement with
35 the explanation's substance by the members of the general assembly.

LSB 1210XD (5) 86

-9-

pf/nh

9/11



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.F. _____ H.F. _____

1 This bill relates to public health including the Iowa public
2 health modernization Act and the state and district boards of
3 health.

4 The bill amends provisions in Code chapter 135A (public
5 health modernization Act). The bill eliminates and amends
6 definitions used in the Code chapter and eliminates the
7 requirements for voluntary accreditation of designated local
8 public health agencies and the department of public health
9 and the required development and use of Iowa public health
10 standards.

11 The bill changes the size and composition of the
12 governmental public health advisory council to include a
13 maximum of 28 members and to specifically include 12 members
14 representing various subfields of public health from local
15 public health agencies and local boards of health from all
16 geographic areas of the state, at least two representatives
17 from academic institutions, at least one economist who has
18 demonstrated experience in public health, health care, or a
19 health-related field, and at least one research analyst. The
20 bill eliminates certain duties of the council and prescribes
21 additional duties including to develop and implement processes
22 for longitudinal evaluation of the public health system
23 including collection of information about organizational
24 capacity and public health services delivery, to determine what
25 process and outcome improvements in the governmental public
26 health system are attributable to voluntary accreditation, to
27 assure that the evaluation process is capturing data to support
28 key research in public health system effectiveness and health
29 outcomes, to develop and make recommendations for improvements
30 to the public health system and for the health outcomes of
31 Iowans, to make recommendations for resources to support the
32 public health system, and to annually submit a report on the
33 activities of the council to the state board of health by July
34 1.

35 The bill eliminates the governmental public health

LSB 1210XD (5) 86

-10-

pf/nh

10/11



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.F. _____ H.F. _____

1 evaluation committee which was established to develop and
2 implement the evaluation of the governmental public health
3 system and voluntary accreditation program, the specified
4 organizational capacity components and public health service
5 components of a governmental public health system, and the
6 governmental public health system and accreditation data
7 collection system which was to monitor the implementation and
8 effectiveness of the governmental public health system based on
9 the Iowa public health standards.

10 The bill eliminates directives to adopt rules that relate
11 to the provisions of the Act eliminated in the bill and also
12 eliminates the section of the Act that established a civil
13 penalty for a local board of health or local public health
14 agency fraudulently claiming accreditation. The bill also
15 makes conforming changes in the Code chapters relating to state
16 and district boards of health to reflect the changes to the
17 public health modernization Act.



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

House Study Bill 85 - Introduced

HOUSE FILE _____
BY (PROPOSED COMMITTEE
ON JUDICIARY BILL BY
CHAIRPERSON BALTIMORE)

A BILL FOR

1 An Act relating to the issuance of and violations of civil
2 protective orders and criminal no-contact orders and
3 modifying penalties.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 1691YC (1) 86
jh/rj



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

H.F. _____

1 Section 1. Section 232.19, subsection 1, Code 2015, is
2 amended by adding the following new paragraph:

3 NEW PARAGRAPH. *e.* By a peace officer pursuant to section
4 664A.6.

5 Sec. 2. Section 331.756, subsection 4, Code 2015, is amended
6 to read as follows:

7 4. ~~Prosecute misdemeanors under chapter 664A. The county~~
8 ~~attorney shall prosecute other~~ misdemeanors when not otherwise
9 engaged in the performance of other official duties.

10 Sec. 3. Section 664A.1, subsection 2, Code 2015, is amended
11 to read as follows:

12 2. "*Protective order*" means a protective order issued
13 pursuant to chapter 232, a court order or court-approved
14 consent agreement entered pursuant to this chapter or chapter
15 235F, a court order or court-approved consent agreement entered
16 pursuant to chapter 236, including a valid foreign protective
17 order under section 236.19, subsection 3, a ~~temporary or~~
18 ~~permanent~~ protective order or order to vacate the homestead
19 under chapter 598, ~~or an order that establishes conditions~~
20 ~~of release or is a protective order or sentencing order in~~
21 ~~a criminal prosecution arising from a domestic abuse assault~~
22 ~~under section 708.2A, or a civil injunction issued pursuant to~~
23 section 915.22.

24 Sec. 4. Section 664A.3, Code 2015, is amended to read as
25 follows:

26 **664A.3 Entry of ~~temporary~~ no-contact order.**

27 1. When a person is ~~taken into custody for contempt~~
28 ~~proceedings pursuant to section 236.11 or~~ arrested for any
29 public offense referred to in section 664A.2, subsection 1,
30 and the person is brought before a magistrate for initial
31 appearance, the magistrate shall enter a no-contact order if
32 the magistrate finds both of the following:

33 *a.* Probable cause exists to believe that any public offense
34 ~~referred to in section 664A.2, subsection 1, or a violation of~~
35 ~~a no-contact order, protective order, or consent agreement has~~

LSB 1691YC (1) 86

-1-

jh/rj

1/8



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

H.F. _____

1 occurred.

2 **b.** The presence of or contact with the defendant poses a
3 threat to the safety of the alleged victim, persons residing
4 with the alleged victim, or members of the alleged victim's
5 family.

6 ~~2. Notwithstanding chapters 804 and 805, a person taken~~
7 ~~into custody pursuant to section 236.11 or arrested pursuant to~~
8 ~~section 236.12 may be released on bail or otherwise only after~~
9 ~~initial appearance before a magistrate as provided in chapter~~
10 ~~804 and the rules of criminal procedure or section 236.11,~~
11 ~~whichever is applicable.~~

12 ~~3.~~ 2. A no-contact order issued pursuant to this section
13 shall be issued in addition to any other conditions of release
14 imposed by a magistrate pursuant to section 811.2. The
15 no-contact order has force and effect until it is modified or
16 terminated by subsequent court action ~~in a contempt proceeding~~
17 ~~or criminal or juvenile court action~~ and is reviewable in the
18 manner prescribed in section 811.2. ~~Upon final disposition~~
19 ~~of the criminal or juvenile court action, the court shall~~
20 ~~terminate or modify the no-contact order pursuant to section~~
21 ~~664A.5.~~

22 ~~4.~~ 3. A no-contact order requiring the defendant to have
23 no contact with ~~the alleged victim's~~ children or children of
24 the alleged victim shall prevail over any ~~existing~~ custodial,
25 visitation, or other conflicting order ~~which may be in conflict~~
26 ~~with the no-contact order.~~

27 ~~5.~~ 4. A no-contact order ~~issued pursuant to this section~~
28 shall restrict the defendant from having contact with the
29 victim, persons residing with the victim, ~~or~~ and the victim's
30 immediate family.

31 ~~6.~~ 5. A no-contact order ~~issued pursuant to this section~~
32 shall specifically include notice that the person may be
33 required to relinquish all firearms, offensive weapons, and
34 ammunition ~~upon the issuance of a permanent no-contact order~~
35 ~~pursuant to section 664A.5.~~

LSB 1691YC (1) 86

-2-

jh/rj

2/8



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

H.F. _____

1 Sec. 5. Section 664A.5, Code 2015, is amended to read as
2 follows:

3 **664A.5 Modification — entry of permanent no-contact order.**

4 If a defendant is convicted of, receives a deferred judgment
5 for, or pleads guilty to a public offense referred to in
6 ~~section 664A.2, subsection 1,~~ or is held in contempt for a
7 violation of a no-contact order ~~issued under section 664A.3~~
8 ~~or for a violation of a protective order issued pursuant to~~
9 ~~chapter 232, 235F, 236, 598, or 915,~~ the court shall either
10 continue, terminate, or modify the temporary no-contact order
11 issued by the magistrate or juvenile court. ~~The court may~~
12 ~~enter a no-contact order or continue the no-contact order~~
13 ~~already in effect~~ may be issued for a period of five years
14 from the date the judgment or contempt finding is entered or
15 the deferred judgment is granted, regardless of whether the
16 defendant is placed on probation.

17 Sec. 6. Section 664A.6, Code 2015, is amended to read as
18 follows:

19 **664A.6 Mandatory arrest Taking into custody for violation of**
20 **no-contact order — immunity for actions.**

21 1. a. If a peace officer has probable cause to believe
22 that a person who is eighteen years old or older has violated
23 a no-contact order ~~issued under this chapter or a protective~~
24 order, the peace officer shall take the person into custody
25 and shall take the person without unnecessary delay before the
26 nearest or most accessible magistrate in the judicial district
27 in which the person was taken into custody. Notwithstanding
28 chapters 804 and 805, a person taken into custody pursuant to
29 this subsection may be released on bail or otherwise only after
30 initial appearance before a magistrate as provided in chapter
31 804 and the rules of criminal procedure, or section 236.11,
32 whichever is applicable.

33 b. If a peace officer has probable cause to believe that
34 a person under the age of eighteen has violated a protective
35 order, the peace officer shall take the person into custody

LSB 1691YC (1) 86

-3-

jh/rj

3/8



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

H.F. _____

1 and shall take the person without unnecessary delay before
2 the nearest or most accessible juvenile court in the judicial
3 district in which the person was taken into custody.

4 2. If the peace officer is investigating a domestic abuse
5 assault pursuant to section 708.2A, the officer shall also
6 comply with sections 236.11 and 236.12.

7 3. A peace officer shall not be held civilly or criminally
8 liable for acting pursuant to this section provided the peace
9 officer acts in good faith and on reasonable grounds and the
10 peace officer's acts do not constitute a willful or wanton
11 disregard for the rights or safety of another.

12 Sec. 7. Section 664A.7, Code 2015, is amended to read as
13 follows:

14 **664A.7 Violation of no-contact order or protective order —**
15 **contempt or ~~simple misdemeanor~~ penalties.**

16 1. Violation of a no-contact order ~~issued under this~~
17 ~~chapter or a protective order issued pursuant to chapter 232,~~
18 ~~235F, 236, or 598, including a modified no-contact order,~~ is
19 punishable by ~~summary~~ contempt proceedings.

20 2. A hearing in a contempt proceeding brought pursuant to
21 this section shall be held not less than five and not more than
22 fifteen days after ~~the issuance of a rule to show cause, as~~
23 ~~determined by the court~~ the person is taken into custody.

24 3. If ~~convicted of or~~ held in contempt for a violation of a
25 no-contact order ~~or a modified no-contact order for a public~~
26 ~~offense referred to in section 664A.2, subsection 1, or held~~
27 ~~in contempt of a no-contact order issued during a contempt~~
28 ~~proceeding brought pursuant to section 236.11,~~ the person shall
29 be confined in the county jail for a minimum of seven days and
30 a maximum of one hundred eighty days per violation. A jail
31 sentence imposed pursuant to this subsection shall be served
32 on consecutive days. No portion of the mandatory minimum term
33 of confinement imposed by this subsection shall be deferred
34 or suspended. A deferred judgment, deferred sentence, or
35 suspended sentence shall not be entered for a violation of a

LSB 1691YC (1) 86

-4-

jh/rj

4/8



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

H.F. _____

1 no-contact order, ~~modified no-contact order~~, or protective
2 order and the court shall not impose a fine in lieu of the
3 minimum sentence, although a fine may be imposed in addition
4 to the minimum sentence.

5 4. If ~~convicted or~~ held in contempt for a violation of
6 a ~~civil~~ protective order referred to in section 664A.2, the
7 person shall serve a jail sentence. A jail sentence imposed
8 pursuant to this subsection shall be served on consecutive
9 days. A person who is ~~convicted of or~~ held in contempt for a
10 violation of a protective order referred to in section 664A.2
11 may be ordered by the court to pay the plaintiff's ~~attorney's~~
12 attorney fees and court costs.

13 5. ~~Violation of a no-contact order entered for the offense~~
14 ~~or alleged offense of domestic abuse assault in violation of~~
15 ~~section 708.2A or a violation of a protective order issued~~
16 ~~pursuant to chapter 232, 235F, 236, 598, or 915 constitutes~~
17 ~~a public offense and is punishable as a simple misdemeanor.~~
18 ~~Alternatively, the court may hold a person in contempt of court~~
19 ~~for such a violation, as provided in subsection 3.~~

20 6. 5. A person shall not be held in contempt ~~or convicted~~
21 ~~of violations~~ under multiple no-contact orders, protective
22 orders, or consent agreements, for the same set of facts and
23 circumstances that constitute a single violation.

24 Sec. 8. Section 664A.8, Code 2015, is amended to read as
25 follows:

26 **664A.8 Extension of no-contact order.**

27 Upon the filing of an application by the state or by the
28 ~~victim of any public offense referred to in section 664A.2,~~
29 ~~subsection 1~~ a protected party which is filed within ninety
30 days prior to the expiration of a modified no-contact order,
31 the court shall modify and extend the no-contact order for an
32 additional period of five years, unless the court finds that
33 the defendant no longer poses a threat to the safety of the
34 victim, persons residing with the victim, or members of the
35 victim's family. The number of modifications extending the

LSB 1691YC (1) 86

-5-

jh/rj

5/8



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

H.F. _____

1 no-contact order permitted by this section is not limited.

2 Sec. 9. NEW SECTION. 664A.9 Termination or modification of
3 no-contact order.

4 A no-contact order may be terminated or modified only upon
5 petition of the state or protected party.

6 Sec. 10. Section 907.3, subsection 1, paragraph a,
7 subparagraph (8), Code 2015, is amended to read as follows:

8 (8) The offense is ~~a conviction for or plea of guilty to a~~
9 ~~violation of section 664A.7 or~~ a finding of contempt pursuant
10 to section 664A.7.

11 Sec. 11. Section 907.3, subsection 2, paragraph a,
12 subparagraph (4), Code 2015, is amended to read as follows:

13 (4) ~~Section 664A.7 or for~~ For contempt pursuant to section
14 664A.7.

15 EXPLANATION

16 The inclusion of this explanation does not constitute agreement with
17 the explanation's substance by the members of the general assembly.

18 This bill relates to the issuance of and violations of civil
19 protective orders and criminal no-contact orders, and modifies
20 penalties.

21 Current law defines a no-contact order as a court order
22 issued in a criminal proceeding requiring a defendant to have
23 no contact with the alleged victim, persons residing with the
24 alleged victim, or members of the alleged victim's immediate
25 family, and to refrain from harassing the alleged victim,
26 persons residing with the alleged victim, or members of the
27 alleged victim's family. A protective order is defined as a
28 protective order issued pursuant to Code chapter 232 (juvenile
29 justice), a court order or court-approved consent agreement
30 entered pursuant to Code chapter 235F (elder abuse), a court
31 order or court-approved consent agreement entered pursuant to
32 Code chapter 236 (civil domestic abuse), including a valid
33 foreign protective order, a temporary or permanent protective
34 order or order to vacate the homestead under Code chapter 598
35 (dissolution of marriage and domestic relations), an order that

LSB 1691YC (1) 86

-6-

jh/rj

6/8



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

H.F. _____

1 establishes conditions of release or is a protective order
2 or sentencing order in a criminal prosecution arising from a
3 domestic abuse assault under Code section 708.2A (criminal
4 domestic abuse), or a civil injunction issued to restrain
5 harassment or intimidation of victims or witnesses in a
6 criminal case under Code section 915.22. The bill amends the
7 definition of protective order to eliminate language allowing
8 for the issuance of a protective order in criminal proceedings.
9 The bill amends a related provision allowing the court to issue
10 a no-contact order as a result of a violation of a protective
11 order.

12 Current law allows a court to issue a temporary no-contact
13 order and a permanent no-contact order. The bill eliminates
14 the distinction between temporary and permanent no-contact
15 orders.

16 Current law provides for a mandatory arrest procedure for
17 violations of no-contact orders but not for violations of
18 protective orders. The bill amends this provision to provide
19 that a person who violates a protective order is also subject
20 to mandatory arrest.

21 Under current law, if a person violates a no-contact order or
22 a protective order, the person may be charged with a criminal
23 offense (simple misdemeanor) or may be held to be in contempt
24 of court. The bill eliminates the criminal offense option
25 for violations of no-contact orders or protective orders. A
26 person held in contempt for a violation of a no-contact order
27 is subject to confinement in the county jail for a minimum of
28 seven days and a maximum of 180 days per violation. A fine may
29 also be imposed in addition to the minimum sentence. A person
30 held in contempt for a violation of a protective order shall
31 serve a jail sentence, and may be ordered by the court to pay
32 the plaintiff's attorney fees and court costs.

33 The bill provides that a no-contact order may only be
34 terminated or modified upon petition by the state or the
35 protected party.

LSB 1691YC (1) 86
jh/rj

7/8



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

H.F. _____

1 The bill makes conforming changes.



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

House Study Bill 86 - Introduced

HOUSE FILE _____
BY (PROPOSED COMMITTEE
ON JUDICIARY BILL BY
CHAIRPERSON BALTIMORE)

A BILL FOR

1 An Act allowing a professional limited liability company or a
2 partnership of veterinarians to provide veterinary care.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSE 1637YC (3) 86
da/nh



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

H.F. _____

1 Section 1. Section 169.4A, Code 2015, is amended to read as
2 follows:

3 **169.4A Provision of veterinary services.**

4 1. A person, including a corporation, limited liability
5 company, or partnership, established on or after July 1, 1994,
6 ~~other than either a professional corporation organized under~~
7 ~~chapter 496C or a veterinarian licensed under this chapter,~~
8 shall not provide veterinary medical services, own a veterinary
9 clinic, or practice veterinary medicine in this state, except
10 as otherwise provided in this chapter. ~~However, this section~~

11 2. Subsection 1 shall not ~~prohibit~~ do any of the following:

12 a. Apply to a veterinarian licensed under this chapter,
13 a partnership formed under chapter 486A and composed of
14 licensed veterinarians, a limited liability partnership formed
15 under chapter 486A and composed of licensed veterinarians, a
16 professional limited liability company organized under chapter
17 489 and engaging in the practice of veterinary medicine, or
18 a professional corporation organized under chapter 496C and
19 engaging in the practice of veterinary medicine.

20 b. Prohibit a person from owning an interest in real
21 property or a building where a veterinary clinic is located, if
22 veterinary medical services or a veterinary medicine practice
23 is conducted by at the clinic by a ~~professional corporation or~~
24 ~~a veterinarian licensed under this chapter~~ person described in
25 paragraph "a".

26 EXPLANATION

27 The inclusion of this explanation does not constitute agreement with
28 the explanation's substance by the members of the general assembly.

29 BILL. This bill amends the Iowa veterinary practice Act
30 (Code chapter 169) by allowing certain partnerships composed
31 of licensed veterinarians and a professional limited liability
32 company (PLLC) to (1) provide veterinary medical services, (2)
33 own a veterinary clinic, or (3) practice veterinary medicine
34 in this state. The purpose of a PLLC is to engage in the
35 practice of a specific profession by a licensed individual or a

LSB 1637YC (3) 86

-1-

da/nh

1/2



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

H.F. _____

1 partnership of licensed individuals (Code section 489.1102).
2 The bill also provides that any person may own an interest in
3 real property or a building where a clinic is located, so long
4 as the partnership or professional limited liability company
5 provides services or conducts a practice at the clinic.
6 CURRENT LAW. With few exceptions, a person other than a
7 licensed veterinarian is prohibited from providing veterinary
8 medical services, owning a veterinary clinic, or practicing
9 veterinary medicine in this state (Code section 169.4A).
10 The prohibition expressly applies to an entity including
11 a corporation, limited liability company, or partnership
12 established on or after July 1, 1994. However, the prohibition
13 does not apply to either a professional corporation or a
14 licensed veterinarian. It also does not prevent a person from
15 owning an interest in real property or a building where a
16 veterinary clinic is located, so long as the veterinary medical
17 services or veterinary practice is conducted by a professional
18 corporation or licensed veterinarian.



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

House Study Bill 87 - Introduced

HOUSE FILE _____
BY (PROPOSED COMMITTEE
ON JUDICIARY BILL BY
CHAIRPERSON BALTIMORE)

A BILL FOR

1 An Act relating to the regulation of smokeless powder as an
2 explosive material.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSE 1925YC (2) 86
aw/rj



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

H.F. _____

1 Section 1. Section 101A.11, unnumbered paragraph 1, Code
2 2015, is amended to read as follows:

3 This chapter shall not apply to the possession or use of
4 ~~twenty-five~~ one hundred pounds or less of smokeless powder, or
5 five pounds or less of black sporting powder, provided that:

6 EXPLANATION

7 The inclusion of this explanation does not constitute agreement with
8 the explanation's substance by the members of the general assembly.

9 This bill relates to the regulation of smokeless powder
10 as an explosive material. Under current law the explosive
11 materials regulations under Code chapter 101A do not apply
12 to the possession of 25 pounds or less of smokeless powder
13 if the smokeless powder is intended for handloading or
14 reloading of ammunition for small arms, is for private use, and
15 conforms to certain other regulations. The bill raises the
16 nonapplicability provision to include the possession of 100
17 pounds or less of smokeless powder.



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

House Study Bill 88 - Introduced

SENATE/HOUSE FILE _____
BY (PROPOSED DEPARTMENT OF
PUBLIC DEFENSE BILL)

A BILL FOR

1 An Act establishing certain privileges for military victim
2 advocates.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TL5B 1506XD (2) 86
aw/sc



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.F. _____ H.F. _____

1 Section 1. Section 915.20, subsection 1, Code 2015, is
2 amended by adding the following new paragraph:

3 NEW PARAGRAPH. *0a. "Military victim advocate" means a*
4 *military victim advocate as defined in section 915.20A.*

5 Sec. 2. Section 915.20, subsection 2, Code 2015, is amended
6 to read as follows:

7 2. A victim counselor or military victim advocate who is
8 present as a result of a request by a victim shall not be denied
9 access to any proceedings related to the offense.

10 Sec. 3. Section 915.20A, subsection 1, paragraph a, Code
11 2015, is amended to read as follows:

12 *a. "Confidential communication" means information shared*
13 *between a crime victim and a victim counselor or a military*
14 *victim advocate within the counseling relationship, and*
15 *includes all information received by the counselor or advocate*
16 *and any advice, report, or working paper given to or prepared*
17 *by the counselor or advocate in the course of the counseling*
18 *relationship with the victim. "Confidential information"*
19 *is confidential information which, so far as the victim is*
20 *aware, is not disclosed to a third party with the exception*
21 *of a person present in the consultation for the purpose*
22 *of furthering the interest of the victim, a person to whom*
23 *disclosure is reasonably necessary for the transmission of the*
24 *information, or a person with whom disclosure is necessary*
25 *for accomplishment of the purpose for which the counselor or*
26 *advocate is consulted by the victim.*

27 Sec. 4. Section 915.20A, subsection 1, Code 2015, is amended
28 by adding the following new paragraph:

29 NEW PARAGRAPH. *0c. "Military victim advocate" or "advocate"*
30 *means a person who is a member of the national guard or a branch*
31 *of the armed forces of the United States and who has completed*
32 *a military victim advocate course provided by a branch of the*
33 *armed forces of the United States or by the United States*
34 *department of defense.*

35 Sec. 5. Section 915.20A, subsection 1, paragraph c, Code

LSB 1506XD (2) 86

-1-

aw/sc

1/4



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.F. _____ H.F. _____

1 2015, is amended to read as follows:

2 *c.* *"Victim"* means a person who consults a victim counselor
3 or a military victim advocate for the purpose of securing
4 advice, counseling, or assistance concerning a mental,
5 physical, or emotional condition caused by a violent crime
6 committed against the person.

7 Sec. 6. Section 915.20A, subsections 2, 5, and 6, Code 2015,
8 are amended to read as follows:

9 2. A victim counselor or a military victim advocate shall
10 not be examined or required to give evidence in any civil
11 or criminal proceeding as to any confidential communication
12 made by a victim to the counselor or advocate, nor shall a
13 clerk, secretary, stenographer, or any other employee who
14 types or otherwise prepares or manages the confidential
15 reports or working papers of a victim counselor or military
16 victim advocate be required to produce evidence of any such
17 confidential communication, unless the victim waives this
18 privilege in writing or disclosure of the information is
19 compelled by a court pursuant to subsection 7. Under no
20 circumstances shall the location of a crime victim center or
21 the identity of the victim counselor or the military victim
22 advocate be disclosed in any civil or criminal proceeding.

23 5. The privilege under this section does not apply in
24 matters of proof concerning the chain of custody of evidence,
25 in matters of proof concerning the physical appearance of
26 the victim at the time of the injury or the counselor's or
27 advocate's first contact with the victim after the injury, or
28 where the counselor or advocate has reason to believe that the
29 victim has given perjured testimony and the defendant or the
30 state has made an offer of proof that perjury may have been
31 committed.

32 6. The failure of a counselor or advocate to testify due to
33 this section shall not give rise to an inference unfavorable to
34 the cause of the state or the cause of the defendant.

35 Sec. 7. Section 915.20A, subsection 8, paragraphs a, c, and

LSB 1506XD (2) 86

-2-

aw/sc

2/4



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.F. _____ H.F. _____

1 d, Code 2015, are amended to read as follows:

2 a. The court may require the counselor or advocate from
3 whom disclosure is sought or the victim claiming the privilege,
4 or both, to disclose the information in chambers out of the
5 presence and hearing of all persons except the victim and any
6 other persons the victim is willing to have present.

7 c. If the court determines that certain information may be
8 subject to disclosure, as provided in subsection 7, the court
9 shall so inform the party seeking the information and shall
10 order a subsequent hearing out of the presence of the jury,
11 if any, at which the parties shall be allowed to examine the
12 counselor or advocate regarding the information which the court
13 has determined may be subject to disclosure. The court may
14 accept other evidence at that time.

15 d. At the conclusion of a hearing under paragraph "c",
16 the court shall determine which information, if any, shall be
17 disclosed and may enter an order describing the evidence which
18 may be introduced by the moving party and prescribing the line
19 of questioning which may be permitted. The moving party may
20 then offer evidence pursuant to the court order. ~~However, no A~~
21 victim counselor or military victim advocate is not subject to
22 exclusion under rule of evidence 5.615.

23 EXPLANATION

24 The inclusion of this explanation does not constitute agreement with
25 the explanation's substance by the members of the general assembly.

26 This bill establishes certain privileges for military victim
27 advocates.

28 Except in certain specified circumstances, current law
29 provides that a victim counselor is privileged from examination
30 and is not required to give evidence in civil or criminal
31 proceedings relating to confidential communications between a
32 victim of a violent crime and the victim counselor. The bill
33 provides the same privilege to military victim advocates, as
34 defined in the bill, provided that the advocate has completed a
35 military victim advocate course. The bill also provides that

LSB 1506XD (2) 86

-3-

aw/sc

3/4



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.F. _____ H.F. _____

1 a military victim advocate shall not be denied access to any
2 proceedings related to an offense if the advocate's presence is
3 requested by the victim of the offense.



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

House Study Bill 89 - Introduced

HOUSE FILE _____
BY (PROPOSED COMMITTEE
ON COMMERCE BILL BY
CHAIRPERSON COWNIE)

A BILL FOR

1 An Act relating to the regulation of buying club memberships.
2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 1000YC (5) 86
av/rj



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

H.F. _____

1 Section 1. Section 552A.2, Code 2015, is amended by adding
2 the following new subsection:

3 NEW SUBSECTION. 7. The sale of goods or services transacted
4 through the internet.

5 Sec. 2. Section 552A.3, Code 2015, is amended to read as
6 follows:

7 **552A.3 Right of cancellation — requirement of writing.**

8 The requirements of sections 555A.1 through 555A.5, relating
9 to door-to-door sales, shall apply to sales of buying club
10 memberships, ~~irrespective of the place or manner of sale or~~
11 ~~the purpose for which they are purchased~~ subject to regulation
12 under this chapter. In addition to the requirements of chapter
13 555A, a contract shall not be enforceable against a person
14 acquiring a membership in a buying club unless the contract is
15 in writing and signed by the purchaser.

16 EXPLANATION

17 The inclusion of this explanation does not constitute agreement with
18 the explanation's substance by the members of the general assembly.

19 This bill relates to the regulation of buying club
20 memberships under Code chapter 552A. The bill provides
21 that the Code chapter does not apply to the sale of goods
22 or services transacted through the internet. The bill also
23 provides that requirements relating to door-to-door sales are
24 applicable to sales of buying club memberships subject to
25 regulation under this Code chapter.

LSB 1000YC (5) 86
av/rj

1/1

-1-



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

House Study Bill 90 - Introduced

HOUSE FILE _____
BY (PROPOSED COMMITTEE
ON COMMERCE BILL BY
CHAIRPERSON COWNIE)

A BILL FOR

- 1 An Act concerning the sale of native wine.
- 2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

H.F. _____

1 Section 1. Section 123.56, subsection 2, Code 2015, is
2 amended to read as follows:

3 2. Native wine may be sold at retail for off-premises
4 consumption when sold on the premises of the manufacturer,
5 ~~or~~ in a retail establishment operated by the manufacturer,
6 or at a location and with the permission of a licensee or
7 permittee issued a five-day license pursuant to section 123.34.
8 Sales may also be made to class "A" or retail wine permittees
9 or liquor control licensees as authorized by the class "A"
10 wine permit. A manufacturer of native wines shall not sell
11 the wines other than as permitted in this chapter and shall
12 not allow wine sold to be consumed upon the premises of the
13 manufacturer. However, prior to sale native wines may be
14 sampled on the premises where made, when no charge is made
15 for the sampling. A person may manufacture native wine for
16 consumption on the manufacturer's premises, when the wine or
17 any part of it is not manufactured for sale.

18 EXPLANATION

19 The inclusion of this explanation does not constitute agreement with
20 the explanation's substance by the members of the general assembly.

21 This bill allows the sale of native wines at retail for
22 off-premises consumption at a location and with the permission
23 of a licensee or permittee issued a five-day license pursuant
24 to Code section 123.34.



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

Senate Concurrent Resolution 1 - Introduced

SENATE CONCURRENT RESOLUTION NO. 1

BY COMMITTEE ON RULES AND ADMINISTRATION

1 A Concurrent Resolution relating to the compensation
2 of chaplains, officers, and employees of the
3 ~~eighty-fifth~~ eighty-sixth general assembly.

4 WHEREAS, section 2.11 of the Code provides that "The
5 compensation of the chaplains, officers, and employees
6 of the general assembly shall be fixed by joint action
7 of the house and senate by resolution at the opening of
8 each session, or as soon thereafter as conveniently can
9 be done."; NOW THEREFORE,

10 BE IT RESOLVED BY THE SENATE, THE HOUSE OF
11 REPRESENTATIVES CONCURRING, That the compensation of
12 the employees of the ~~eighty-fifth~~ eighty-sixth general
13 assembly is set, effective from ~~January 14, 2013, until~~
14 ~~January 12, 2015~~ January 12, 2015, until January 9,
15 2017, in accordance with the following salary schedule:

16	#9				
17	\$18,179.20				
18	8.74				
19	#10	#11	#12	#13	#14
20	\$19,177.60	\$20,196.80	\$21,174.40	\$22,235.20	\$23,400.00
21	9.22	9.71	10.18	10.69	11.25
22	#15	#16	#17	#18	#19
23	\$24,648.00	\$25,916.80	\$27,019.20	\$28,392.00	\$29,660.80
24	11.85	12.46	12.99	13.65	14.26
25	#20	#21	#22	#23	#24
26	\$31,200.00	\$32,572.80	\$34,195.20	\$35,880.00	\$37,481.60
27	15.00	15.66	16.44	17.25	18.02
28	#25	#26	#27	#28	#29



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.C.R. 1

1	\$39,395.20	\$41,225.60	\$43,222.40	\$45,344.00	\$47,486.40
2	18.94	19.82	20.78	21.80	22.83
3	#30	#31	#32	#33	#34
4	\$49,774.40	\$52,249.60	\$54,662.40	\$57,324.80	\$59,987.20
5	23.93	25.12	26.28	27.56	28.84
6	#35	#36	#37	#38	#39
7	\$62,878.40	\$65,873.60	\$69,097.60	\$72,363.20	\$75,920.00
8	30.23	31.67	33.22	34.79	36.50
9	#40	#41	#42	#43	#44
10	\$79,560	\$83,387.20	\$87,464.00	\$91,520.00	\$96,012.80
11	38.25	40.09	42.05	44.00	46.16
12	#45	#46	#47	#48	#49
13	\$100,609.60	\$105,393.60	\$110,427.20	\$115,731.20	\$121,284.80
14	48.37	50.67	53.09	55.64	58.31
15	#50	#51			
16	\$127,192.00	\$133,265.60			
17	61.15	64.07			

18 In this schedule, each numbered block shall be
19 the yearly and hourly compensation for the pay grade
20 of the number heading the block. Within each grade
21 there shall be eight steps numbered "1" through "8".
22 In the above schedule the steps for all grades are
23 determined in the following manner. Each numbered
24 block is counted as the "1" step for that grade. The
25 next higher block is counted as the "2" step; the next
26 higher block is the "3" step; the next higher block is
27 the "4" step; the next higher block is the "5" step;
28 the next higher block is the "6" step; the next higher
29 block is the "7" step; and the next higher block plus
30 2.5% is the "8" step.

LSB 2051SQ (2) 86

-2-

jh

2/19



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.C.R. 1

1 Alternatively, the senate rules and administration
2 committee for senate employees, and the house
3 administration and rules committee for house employees
4 may allow their employees' compensation to be flexibly
5 set anywhere between steps "1" through "8" for an
6 employee's prescribed pay grade.

7 All employees shall be available to work daily
8 until completion of the senate's and house of
9 representatives' business. The employee's division
10 supervisor shall schedule all employees' working hours
11 to, as far as possible, maintain regular working hours.

12 All employees, other than those designated "part-
13 time", shall be compensated for 40 hours of work in
14 a one-week pay period. Secretaries to senators and
15 representatives are presumed to have 32 hours of work
16 each week the legislature is in session and shall
17 be paid only on that basis. Full-time employees
18 who are required to work in excess of 80 hours in a
19 two-week pay period shall be allowed compensatory time
20 off at a rate of one hour for each hour of overtime
21 up to a maximum of 120 hours of compensatory time.
22 Joint security employees of the senate and house of
23 representatives may be compensated for each hour of
24 overtime at a rate of pay equal to one-and-one-half
25 times the hourly pay provided.

26 BE IT FURTHER RESOLVED, That part-time employees
27 shall be compensated at the scheduled hourly rate for
28 their pay grade and step.

29 BE IT FURTHER RESOLVED, That in the event the
30 salary schedule for employees of the State of Iowa

LSB 2051SQ (2) 86

-3-

jh

3/19



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.C.R. 1

1 as promulgated by the department of administrative
2 services pursuant to section 8A.413, subsection 3, is
3 revised upward at any time during the ~~eighty-fifth~~
4 eighty-sixth general assembly, such revised schedule
5 shall simultaneously be adopted for the compensation
6 of the employees of the ~~eighty-fifth~~ eighty-sixth
7 general assembly assigned a grade by this resolution,
8 unless otherwise provided by the senate and house of
9 representatives.

10 BE IT FURTHER RESOLVED, That adjustments in
11 the positions and compensation listed in this
12 resolution may be made through an interim review of
13 all legislative employees for internal equity and to
14 assure compliance with appropriate legal standards
15 for granting of overtime and compensatory time off.
16 Such review shall be conducted by a legislative
17 committee made up of members of the service committee
18 of legislative council and the appropriate salary
19 subcommittees of the senate and house. Only one such
20 review may be done in any fiscal year and adjustments
21 suggested must be approved by the appropriate hiring
22 body.

23 BE IT FURTHER RESOLVED, That the employees of the
24 ~~eighty-fifth~~ eighty-sixth general assembly be placed in
25 the following pay grades:

26 EMPLOYEES OF THE HOUSE
27 Chief Clerk of the House.....Grade 44
28 Sr. Assistant Chief Clerk of the House.....Grade 41
29 Assistant Chief Clerk of the House III.....Grade 38
30 Assistant Chief Clerk of the House II.....Grade 35



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.C.R. 1

1 Assistant Chief Clerk of the House I.....	Grade 32
2 Legal Counsel II.....	Grade 35
3 Legal Counsel I.....	Grade 32
4 Legal Counsel.....	Grade 30
5 Sr. Caucus Staff Director.....	Grade 41
6 Caucus Staff Director.....	Grade 38
7 Sr. Deputy Caucus Staff Director.....	Grade 39
8 Deputy Caucus Staff Director.....	Grade 36
9 Administrative Assistant to Leader or	
10 Speaker.....	Grade 27
11 Administrative Assistant I to Leader or	
12 Speaker.....	Grade 29
13 Administrative Assistant II to Leader or	
14 Speaker.....	Grade 32
15 Administrative Assistant III to Leader or	
16 Speaker.....	Grade 35
17 Sr. Administrative Assistant to Leader or	
18 Speaker I.....	Grade 38
19 Sr. Administrative Assistant to Leader or	
20 Speaker II.....	Grade 41
21 Research Assistant.....	Grade 24
22 Legislative Research Analyst.....	Grade 27
23 Legislative Research Analyst I.....	Grade 29
24 Legislative Research Analyst II.....	Grade 32
25 Legislative Research Analyst III.....	Grade 35
26 Sr. Legislative Research Analyst.....	Grade 38
27 Assistant Secretary to Leader or Speaker.....	Grade 18
28 Secretary to Leader or Speaker.....	Grade 19
29 Caucus Secretary.....	Grade 21
30 Senior Caucus Secretary.....	Grade 24

LSB 2051SQ (2) 86

-5-

jh

5/19



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.C.R. 1

1	Administrative Secretary to Leader, Speaker,	
2	or Chief Clerk.....	Grade 21
3	Executive Secretary to Leader, Speaker or	
4	Chief Clerk.....	Grade 24
5	Confidential Secretary to Leader, Speaker,	
6	or Chief Clerk.....	Grade 27
7	Clerk to Chief Clerk.....	Grade 16
8	Supervisor of Secretaries.....	Grade 21
9	Supervisor of Secretaries I.....	Grade 24
10	Supervisor of Secretaries II.....	Grade 27
11	Sr. Administrative Services Officer.....	Grade 35
12	Administrative Services Officer III.....	Grade 32
13	Administrative Services Officer II.....	Grade 29
14	Administrative Services Officer I.....	Grade 26
15	Administrative Services Officer.....	Grade 23
16	Administrative Services Assistant.....	Grade 20
17	Senior Editor.....	Grade 30
18	Editor II.....	Grade 25
19	Editor I.....	Grade 22
20	Assistant Editor.....	Grade 19
21	Compositor/Desk Top Specialist.....	Grade 17
22	Sr. Text Processor.....	Grade 25
23	Text Processor II.....	Grade 22
24	Text Processor I.....	Grade 19
25	Senior Finance Officer III.....	Grade 38
26	Senior Finance Officer II.....	Grade 35
27	Senior Finance Officer I.....	Grade 31
28	Finance Officer II.....	Grade 27
29	Finance Officer I.....	Grade 24
30	Assistant Finance Officer.....	Grade 21

LSB 2051SQ (2) 86

-6- jh

6/19



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.C.R. 1

1	Recording Clerk II.....	Grade 24
2	Recording Clerk I.....	Grade 21
3	Assistant Legal Counsel I.....	Grade 30
4	Assistant Legal Counsel.....	Grade 27
5	Engrossing & Enrolling Processor.....	Grade 27
6	Assistant to the Legal Counsel.....	Grade 19
7	Senior Indexer.....	Grade 28
8	Indexer II.....	Grade 25
9	Indexer I.....	Grade 22
10	Indexing Assistant.....	Grade 19
11	Supply Clerk.....	Grade 16
12	Switchboard Operator.....	Grade 14
13	Legislative Secretary.....	Grade 15
14	Legislative Committee Secretary.....	Grade 17
15	Bill Clerk.....	Grade 14
16	Assistant Bill Clerk.....	Grade 12
17	Postmaster.....	Grade 12
18	Sergeant-at-Arms II.....	Grade 20
19	Sergeant-at-Arms I.....	Grade 17
20	Assistant Sergeant-at-Arms.....	Grade 14
21	Chief Doorkeeper.....	Grade 12
22	Doorkeepers.....	Grade 11
23	Pages.....	Grade 9
24	EMPLOYEES OF THE SENATE	
25	Secretary of the Senate.....	Grade 44
26	Sr. Assistant Secretary of the Senate.....	Grade 41
27	Assistant Secretary of the Senate III.....	Grade 38
28	Assistant Secretary of the Senate II.....	Grade 35
29	Assistant Secretary of the Senate I.....	Grade 32
30	Legal Counsel II.....	Grade 35

LSB 2051SQ (2) 86

-7- jh

7/19



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.C.R. 1

1	Legal Counsel I.....	Grade 32
2	Legal Counsel.....	Grade 30
3	Sr. Caucus Staff Director.....	Grade 41
4	Caucus Staff Director.....	Grade 38
5	Sr. Deputy Caucus Staff Director.....	Grade 39
6	Deputy Caucus Staff Director.....	Grade 36
7	Administrative Assistant to Leader	
8	or President.....	Grade 27
9	Administrative Assistant I to Leader	
10	or President.....	Grade 29
11	Administrative Assistant II to Leader	
12	or President.....	Grade 32
13	Administrative Assistant III to Leader	
14	or President.....	Grade 35
15	Sr. Administrative Assistant to Leader	
16	or President I.....	Grade 38
17	Sr. Administrative Assistant to Leader	
18	or President II.....	Grade 41
19	Research Assistant.....	Grade 24
20	Legislative Research Analyst.....	Grade 27
21	Legislative Research Analyst I.....	Grade 29
22	Legislative Research Analyst II.....	Grade 32
23	Legislative Research Analyst III.....	Grade 35
24	Sr. Legislative Research Analyst.....	Grade 38
25	Caucus Secretary II.....	Grade 21
26	Senior Caucus Secretary.....	Grade 24
27	Secretary to Leader, President, or	
28	Caucus.....	Grade 18
29	Administrative Secretary to Leader,	
30	President, or Secretary of the Senate.....	Grade 21

LSB 2051SQ (2) 86

-8-

jh

8/19



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.C.R. 1

1	Executive Secretary to Leader, President,	
2	or Secretary of the Senate.....	Grade 24
3	Confidential Secretary to Leader, President,	
4	or Secretary of the Senate.....	Grade 27
5	Supervisor of Secretaries.....	Grade 21
6	Supervisor of Secretaries I.....	Grade 24
7	Supervisor of Secretaries II.....	Grade 27
8	Sr. Administrative Services Officer.....	Grade 35
9	Administrative Services Officer III.....	Grade 32
10	Administrative Services Officer II.....	Grade 29
11	Administrative Services Officer I.....	Grade 26
12	Administrative Services Officer.....	Grade 23
13	Administrative Services Assistant.....	Grade 20
14	Senior Editor.....	Grade 30
15	Editor II.....	Grade 25
16	Editor I.....	Grade 22
17	Assistant Editor.....	Grade 19
18	Compositor/Desktop Top Specialist.....	Grade 17
19	Assistant Legal Counsel I.....	Grade 30
20	Assistant Legal Counsel.....	Grade 27
21	Assistant to the Legal Counsel.....	Grade 19
22	Proofreader.....	Grade 16
23	Senior Finance Officer III.....	Grade 38
24	Senior Finance Officer II.....	Grade 35
25	Senior Finance Officer I.....	Grade 13
26	Finance Officer II.....	Grade 27
27	Finance Officer I.....	Grade 24
28	Assistant Finance Officer.....	Grade 21
29	Recording Clerk II.....	Grade 24
30	Recording Clerk I.....	Grade 21

LSB 2051SQ (2) 86

-9-

jh

9/19



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.C.R. 1

1	Senior Indexer.....	Grade 28
2	Indexer II.....	Grade 25
3	Indexer I.....	Grade 22
4	Indexing Assistant.....	Grade 19
5	Records and Supply Clerk.....	Grade 18
6	Switchboard Operator.....	Grade 14
7	Legislative Secretary.....	Grade 15
8	Legislative Committee Secretary.....	Grade 17
9	Bill Clerk.....	Grade 14
10	Assistant Bill Clerk.....	Grade 12
11	Postmaster.....	Grade 12
12	Sergeant-at-Arms II.....	Grade 20
13	Sergeant-at-Arms I.....	Grade 17
14	Assistant Sergeant-at-Arms.....	Grade 14
15	Chief Doorkeeper.....	Grade 12
16	Doorkeepers.....	Grade 11
17	Pages.....	Grade 9
18	JOINT SENATE/HOUSE EMPLOYEES	
19	Facilities Manager I.....	Grade 35
20	Facilities Manager II.....	Grade 38
21	Sr. Facilities Manager.....	Grade 41
22	Legislative Security Coordinator I.....	Grade 23
23	Legislative Security Coordinator II.....	Grade 26
24	Legislative Security Officer I.....	Grade 20
25	Legislative Security Officer II.....	Grade 23
26	Conservation/Restoration Specialist I.....	Grade 28
27	Conservation/Restoration Specialist II.....	Grade 31
28	Sr. Legislative Lobbyist Clerk.....	Grade 24
29	Legislative Lobbyist Clerk.....	Grade 21
30	Sr. Copy Center Operator.....	Grade 21

LSB 2051SQ (2) 86

-10- jh

10/19



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.C.R. 1

1 Copy Center Operator.....Grade 18

2 BE IT FURTHER RESOLVED, That there shall be four
3 classes of appointments as employees of the general
4 assembly:

5 A "permanent full-time" or "permanent part-time"
6 employee is one who is employed the year around and
7 eligible to receive state benefits.

8 An "exempt full-time" employee is one who is
9 employed for only a portion of the year, usually the
10 period of the legislative sessions with extensions
11 post-session and pre-session as scheduled. This class
12 is eligible to receive state benefits with the cost of
13 benefits to the state to be paid, using accrued leave
14 if authorized, by the employee when not on the payroll.

15 A "session-only" employee is one who is employed for
16 only a portion of the year, usually the legislative
17 session. This class is not eligible for state
18 benefits, except IPERS, and insurance as provided in
19 section 2.40.

20 A "part-time" employee is one who is employed to
21 work less than 40 hours per week. This class is not
22 eligible for state benefits, except IPERS if eligible.

23 BE IT FURTHER RESOLVED, That the exact
24 classification for individuals in a job series
25 created by this resolution shall be set or changed for
26 senate employees by the senate rules and administration
27 committee and for the house employees by the house
28 administration and rules committee. The committees
29 shall base the classification upon the following
30 factors:

LSB 2051SQ (2) 86

-11- jh

11/19



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.C.R. 1

1 1. The extent of formal education required of the
2 position; and,

3 2. The extent of the responsibilities to be
4 assigned to the position; and,

5 3. The amount of supervision placed over the
6 position; and,

7 4. The number of persons the position is assigned
8 to supervise and skills and responsibilities of those
9 positions supervised.

10 The committees shall report the exact
11 classifications assigned to each individual on the
12 next legislative day, or, if such action is during
13 the interim, on the first day the senate or house
14 shall convene. Any action by the senate or house to
15 disapprove a report or a portion of a report shall be
16 effective the day after the action.

17 Recommendations for a pay grade for a new position
18 shall be developed in accordance with the factor scores
19 in the comparable worth report. Every four years the
20 senate rules and administration committee, the house
21 administration and rules committee, and the legislative
22 council may review all positions in the legislative
23 branch to assure conformity to comparable worth.

24 BE IT FURTHER RESOLVED, That a senator or
25 representative may employ a secretary who in the
26 judgment of the senator or representative employing
27 such person, possesses the necessary skills to perform
28 the duties such senator or representative shall
29 designate, under the administrative direction, as
30 appropriate, of the secretary of the senate or the

LSB 2051SQ (2) 86

-12- jh

12/19



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.C.R. 1

1 chief clerk of the house.

2 Each standing committee chairperson, ethics
3 committee chairperson, and each appropriations
4 subcommittee chairperson shall designate a secretary
5 who is competent to perform the following duties:
6 prepare committee minutes, committee reports, type
7 committee correspondence, maintain committee records,
8 and otherwise assist the committee. Such duties
9 shall be performed in accordance with standards which
10 shall be provided by the secretary of the senate and
11 chief clerk of the house. In making the designation,
12 chairpersons shall consider persons for possible
13 designation as the secretary to the committee in the
14 following order:

15 First: The secretary to the chairperson.

16 Second: The secretary to the committee's
17 vice-chairperson.

18 Third: The secretary to any other member of the
19 committee.

20 Fourth: The secretary to any other member in the
21 same house as the committee.

22 BE IT FURTHER RESOLVED, That a Legal Counsel II
23 shall be a person who has graduated from an accredited
24 school of law and is admitted to practice in Iowa as
25 an Attorney and Counselor at Law and possesses either
26 a Masters of Law degree or has at least two years of
27 legal experience after admission to practice.

28 A Legal Counsel I shall be a person who has
29 graduated from an accredited school of law and is
30 admitted to practice in Iowa as an Attorney and

LSB 2051SQ (2) 86

-13- jh

13/19



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.C.R. 1

1 Counselor at Law.

2 BE IT FURTHER RESOLVED, That employees of the
3 general assembly may be eligible for either:

4 1. Increases in salary grade or step based on
5 evaluation of their job performance and recommendations
6 of their administrative officers, subject to approval
7 of the senate committee on rules and administration
8 or the house committee on administration and rules, as
9 appropriate or

10 2. Mobility within a pay grade at the discretion
11 of the chief clerk of the house upon recommendation by
12 the employee's division supervisor on the part of the
13 house, and the discretion of the employee's division
14 supervisor on the part of the senate, subject to the
15 approval of the house committee on administration
16 and rules or the senate committee on rules and
17 administration, as appropriate — either in accord with
18 a flexible pay plan approved by the senate rules and
19 administration committee or the house administration
20 and rules committee, or in accord with the following
21 schedule:

22 (a) Progression from step "1" to "2" for a newly
23 hired employee — six months of actual employment.

24 (b) Progression from step "1" to "2" following
25 promotion within a job series — twelve months of
26 actual employment in that position.

27 (c) Progression from step "2" to "3", and step "3"
28 to "4", and step "4" to "5", and step "5" to "6", and
29 step "6" to "7", and step "7" to "8" — twelve months
30 of actual employment at the lower step.

LSB 2051SQ (2) 86

-14- jh

14/19



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.C.R. 1

1 BE IT FURTHER RESOLVED, That in addition to the
2 steps provided in the preceding paragraph, that
3 secretaries to senators and representatives who were
4 employees of the senate or house of representatives
5 during any general assembly prior to January 9, 1989,
6 and who have received certification for passing a
7 typing and shorthand performance examination shall be
8 eligible for two additional steps.

9 BE IT FURTHER RESOLVED, That in addition to the
10 steps provided in the preceding paragraph, that
11 secretaries to senators and representatives shall
12 be eligible for a maximum of three additional grades
13 beyond grade 15, in any combination, as provided in
14 this paragraph:

15 1. One additional grade for a secretary to a
16 standing committee chair, ethics committee chair
17 or appropriations subcommittee chair who is not the
18 designated committee secretary.

19 2. One additional grade for a secretary to a vice-
20 chairperson or ranking member of a standing committee,
21 ethics committee or appropriations subcommittee.

22 3. One additional grade for a secretary to the
23 chairperson of the chaplain's committee.

24 4. Two additional grades for a secretary to an
25 assistant floor leader or speaker pro tempore or
26 president pro tempore.

27 5. One additional grade for a designated committee
28 secretary who is also the designated committee
29 secretary for an additional standing committee, ethics
30 committee, or appropriations subcommittee.

LSB 2051SQ (2) 86

-15- jh

15/19



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.C.R. 1

1 BE IT FURTHER RESOLVED, That in the event the
2 secretary to the chairperson of the chaplain's
3 committee is the secretary to the president, president
4 pro tempore, speaker, speaker pro tempore, or the
5 majority or minority leader, such secretary shall
6 receive one additional step.

7 BE IT FURTHER RESOLVED, That the entrance salary for
8 employees of the general assembly shall be at step 1 in
9 the grade of the position held. Such employee may be
10 hired above the entrance step if possessing outstanding
11 and unusual experience for the position. Such employee
12 who is hired above the entrance step shall be mobile
13 above that step in the same period of time as other
14 employees in that same step. An officer or employee
15 who is moved to another position may be considered for
16 partial or full credit for their experience in the
17 former position in determining the step in the new
18 grade.

19 The entry level for the position of research
20 analyst shall be Legislative Research Analyst, unless
21 extraordinary conditions justify increasing that entry
22 level.

23 BE IT FURTHER RESOLVED, That a pay increase for
24 employees of one step within the pay grade for the
25 position may be made for exceptionally meritorious
26 service in addition to step increases provided
27 for in this resolution, at the discretion of the
28 chief clerk upon recommendation by the employee's
29 division supervisor on the part of the house, and upon
30 recommendation by the employee's division supervisor on

LSB 2051SQ (2) 86

-16- jh

16/19



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.C.R. 1

1 the part of the senate, and the approval of the senate
2 committee on rules and administration or the house
3 committee on administration and rules. Exceptionally
4 meritorious service pay increases shall be governed by
5 the following:

6 a. The employee must have served in the position
7 for at least twelve months;

8 b. Written justification, setting forth in detail
9 the nature of the exceptionally meritorious service
10 rendered, must be submitted to the senate rules and
11 administration committee or house administration and
12 rules committee and approved in advance of granting the
13 pay increase;

14 c. No more than one exceptionally meritorious
15 service pay increase may be granted in any twelve-month
16 period.

17 d. Such meritorious service pay increase shall
18 not be granted beyond the eight-step maximum for that
19 position.

20 BE IT FURTHER RESOLVED, That the senate rules and
21 administration committee and the house administration
22 and rules committee shall both hire officers and
23 employees for their respective bodies and fill any
24 vacancies which may occur, to be effective at such time
25 as they shall set. The committee shall report the
26 names of those it has hired for the positions specified
27 in this resolution or the filling of any vacancies on
28 the next legislative day or, if such action is during
29 the interim, on the first day the senate or house shall
30 convene. Any action by the senate or house to amend or

LSB 2051SQ (2) 86

-17- jh

17/19



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.C.R. 1

1 disapprove a report or a portion of a report shall be
2 effective the day after the action.

3 The chief clerk of the house shall submit to the
4 house committee on administration and rules and
5 the secretary of the senate shall submit to the
6 senate committee on rules and administration the
7 list of names, or amendments thereto, of employee
8 classifications and recommended pay step for each
9 officer and employee. Such list shall include
10 recommendations for the pay step for all employees.
11 Each respective committee shall approve or amend the
12 list of recommended classifications and pay steps and
13 publish said list in the journal.

14 BE IT FURTHER RESOLVED, That permanent employees of
15 the general assembly shall receive vacation allowances,
16 sick leave, health and accident insurance, life
17 insurance, and disability income insurance as are
18 comparably provided for full-time permanent state
19 employees. The computations shall be maintained by the
20 finance officers in each house and coordinated with the
21 department of administrative services.

22 BE IT FURTHER RESOLVED, That should any employee
23 have a grievance, the grievance shall be resolved as
24 provided by procedures determined by the senate rules
25 and administration committee for senate employees or
26 the house administration and rules committee for house
27 employees.

28 BE IT FURTHER RESOLVED, That the legislative
29 council take action to provide the same compensation
30 and benefits to all legislative central staff agency

LSB 2051SQ (2) 86

-18- jh

18/19



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.C.R. 1

1 employees for the ~~eighty-fifth~~ eighty-sixth general
2 assembly as is provided by this resolution. The
3 director of each legislative central staff agency
4 shall report to the chief clerk of the house and the
5 secretary of the senate the list of approved positions
6 for their agencies and the names, grades and steps of
7 each employee. Such lists shall be published in the
8 journals of the house and the senate within two weeks
9 after the adoption of this resolution by both houses.

10 BE IT FURTHER RESOLVED, That the compensation of
11 chaplains officiating at the opening of the daily
12 sessions of the house of representatives and the senate
13 of the ~~eighty-fifth~~ eighty-sixth general assembly be
14 fixed at ten dollars for each house of the general
15 assembly, and that mileage to and from the State
16 Capitol for chaplains be fixed at the rate established
17 for members of the general assembly.



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

Senate File 74 - Introduced

SENATE FILE 74
BY QUIRMBACH

A BILL FOR

1 An Act relating to eligibility requirements and waiting list
2 priority under the state child care assistance program.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 1085XS (2) 86
rh/nh



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.F. 74

1 Section 1. Section 237A.13, subsection 7, paragraphs c and
2 d, Code 2015, are amended to read as follows:

3 ~~c. Families with an income of more than one hundred percent~~
4 ~~but not more than one hundred forty-five percent of the federal~~
5 ~~poverty level whose members, for at least twenty-eight hours~~
6 ~~per week in the aggregate, are employed or are participating~~
7 ~~at a satisfactory level in an approved training program or~~
8 ~~educational program.~~

9 ~~d.~~ Families with an income at or below two hundred percent
10 of the federal poverty level whose members are employed at
11 least twenty-eight hours per week with a special needs child as
12 a member of the family.

13 d. Families with an income of more than one hundred
14 percent but not more than two hundred percent of the federal
15 poverty level whose members, for at least twenty-eight hours
16 per week in the aggregate, are employed or are participating
17 at a satisfactory level in an approved training program or
18 educational program.

19 EXPLANATION

20 The inclusion of this explanation does not constitute agreement with
21 the explanation's substance by the members of the general assembly.

22 This bill amends Code section 237A.13 relating to
23 eligibility and waiting list priorities and guidelines under
24 the state child care assistance program.

25 Under current law, families with an income of more than 100
26 percent but not more than 145 percent of the federal poverty
27 level who are, for at least 28 hours per week in the aggregate,
28 employed or are participating at a satisfactory level in an
29 approved training program or educational program receive wait
30 list priority over families with an income level at or below
31 200 percent of the federal poverty level whose members are
32 employed at least 28 hours per week with a special needs child.
33 The bill gives eligible families with a special needs child
34 wait list priority over eligible families who are employed or
35 participating in an approved training or educational program,

LSB 1085XS (2) 86

-1-

rh/nh

1/2



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.F. 74

1 but amends this provision to increase the income eligibility
2 requirement cap to not more than 200 percent of the federal
3 poverty level.



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

Senate File 75 - Introduced

SENATE FILE 75
BY COMMITTEE ON TRANSPORTATION

(SUCCESSOR TO SSB 1040)

A BILL FOR

1 An Act relating to the use of blue and white lighting devices
2 and reflectors during snow and ice treatment and removal,
3 making penalties applicable, and including sunset date
4 provisions.
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.F. 75

1 Section 1. Section 321.323A, subsection 2, unnumbered
2 paragraph 1, Code 2015, is amended to read as follows:

3 The operator of a motor vehicle approaching a stationary
4 towing or recovery vehicle, a stationary utility maintenance
5 vehicle, a stationary municipal maintenance vehicle, or a
6 stationary highway maintenance vehicle, that is displaying
7 flashing yellow, amber, blue, white, or red lights, shall
8 approach the vehicle with due caution and shall proceed in one
9 of the following manners, absent any other direction by a peace
10 officer:

11 Sec. 2. Section 321.393, Code 2015, is amended by adding the
12 following new subsection:

13 NEW SUBSECTION. 5. *a.* The provisions of this section
14 shall not prohibit the use of a lighting device or reflector
15 displaying an amber, white, or blue light when the lighting
16 device or reflector is rear-facing and mounted on a motor
17 truck, trailer, tractor, truck-mounted snow blower, or motor
18 grader owned by the department while the equipment is being
19 used for snow and ice treatment or removal on the public
20 streets or highways.

21 *b.* This subsection is repealed on July 1, 2019.

22 Sec. 3. Section 321.423, subsection 3, paragraph a, Code
23 2015, is amended by adding the following new subparagraph:

24 NEW SUBPARAGRAPH. (4) (a) A motor truck, trailer,
25 tractor, truck-mounted snow blower, or motor grader owned by
26 the department if the blue light is rear-facing and used in
27 conjunction with amber and white lighting devices or reflectors
28 while the equipment is being used for snow and ice treatment or
29 removal on the public streets or highways.

30 (b) This subparagraph (4) is repealed on July 1, 2019.

31 Sec. 4. Section 321.423, subsection 7, paragraph a, Code
32 2015, is amended by adding the following new subparagraph:

33 NEW SUBPARAGRAPH. (4) (a) On a motor truck, trailer,
34 tractor, truck-mounted snow blower, or motor grader owned by
35 the department if the white light is rear-facing and used in

LSB 1334SV (1) 86

-1-

ns/nh

1/2



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.F. 75

1 conjunction with amber and blue lighting devices or reflectors
2 while the equipment is being used for snow and ice treatment or
3 removal on the public streets or highways.

4 (b) This subparagraph (4) is repealed on July 1, 2019.

5 EXPLANATION

6 The inclusion of this explanation does not constitute agreement with
7 the explanation's substance by the members of the general assembly.

8 Iowa's current "move over" law provides that the operator
9 of a motor vehicle must approach certain vehicles displaying
10 yellow, amber, or red lights with due caution and must either
11 move into a nonadjacent lane or slow down and be prepared to
12 stop if changing lanes is impossible, illegal, or unsafe. The
13 bill expands that provision to include vehicles displaying blue
14 or white lights. A violation is a simple misdemeanor and is
15 punishable with a scheduled fine of \$100.

16 The bill provides for the use of blue and white lights in
17 conjunction with amber lighting devices or reflectors while
18 a motor truck, trailer, tractor, truck-mounted snow blower,
19 or motor grader owned by the department of transportation is
20 being used for snow and ice treatment or removal on the public
21 streets or highways. These provisions are repealed on July 1,
22 2019.



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

Senate File 76 - Introduced

SENATE FILE 76
BY CHAPMAN

A BILL FOR

1 An Act relating to the repeal of the state inheritance tax and
2 the state qualified use inheritance tax.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 1629XS (1) 86
mm/sc



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

Senate File 77 - Introduced

SENATE FILE 77
BY PETERSEN

A BILL FOR

1 An Act modifying the supplementary weighting for limited
2 English proficient students and including effective date and
3 applicability provisions.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 1740XS (2) 86
md/sc



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.F. 77

1 Section 1. Section 257.31, subsection 5, paragraph j, Code
2 2015, is amended to read as follows:

3 j. Unusual need to continue providing a program or other
4 special assistance to non-English speaking pupils after the
5 expiration of the ~~five-year~~ period of years specified in
6 section 280.4.

7 Sec. 2. Section 280.4, subsection 3, Code 2015, is amended
8 to read as follows:

9 3. a. In order to provide funds for the excess costs of
10 instruction of limited English proficient students specified
11 in paragraph "b" above the costs of instruction of pupils in
12 a regular curriculum, students identified as limited English
13 proficient shall be assigned an additional weighting of
14 ~~twenty-two hundredths~~ three-tenths, and that weighting shall be
15 included in the weighted enrollment of the school district of
16 residence for a period not exceeding ~~five~~ the period of years
17 specified in paragraph "b". However, the school budget review
18 committee may grant supplemental aid or a modified supplemental
19 amount to a school district to continue funding a program for
20 students after the expiration of the ~~five-year~~ specified period
21 of years.

22 b. (1) For students first determined to be limited English
23 proficient for a budget year beginning on or after July
24 1, 2010, but before July 1, 2015, the additional weighting
25 provided under paragraph "a" shall be included in the weighted
26 enrollment of the school district of residence for a cumulative
27 period of time not exceeding five years beginning with the
28 budget year for which the student was first determined to be
29 limited English proficient. The five years of eligibility
30 for the additional weighting need not be consecutive and
31 a student's eligibility for the additional weighting is
32 transferable to another district of residence.

33 (2) For students first determined to be limited English
34 proficient for the budget year beginning on July 1, 2015, the
35 additional weighting provided under paragraph "a" shall be

LSB 1740XS (2) 86

-1-

md/sc

1/3



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.F. 77

1 included in the weighted enrollment of the school district of
2 residence for a period not exceeding six years beginning with
3 the budget year for which the student was first determined to
4 be limited English proficient.

5 (3) For students first determined to be limited English
6 proficient for a budget year beginning on or after July 1,
7 2016, the additional weighting provided under paragraph "a"
8 shall be included in the weighted enrollment of the school
9 district of residence for a period not exceeding seven years
10 beginning with the budget year for which the student was first
11 determined to be limited English proficient.

12 Sec. 3. EFFECTIVE UPON ENACTMENT. This Act, being deemed of
13 immediate importance, takes effect upon enactment.

14 Sec. 4. APPLICABILITY. This Act applies to school budget
15 years beginning on or after July 1, 2015.

16 EXPLANATION

17 The inclusion of this explanation does not constitute agreement with
18 the explanation's substance by the members of the general assembly.

19 This bill relates to limited English proficient education
20 by modifying the supplementary weighting for limited English
21 proficient students.

22 Current Code section 280.4 provides supplementary weighting
23 for the excess costs of instruction of limited English
24 proficient students. The current amount of the supplementary
25 weighting for students identified as limited English proficient
26 is 0.22 per student. The weighting is provided for those
27 students first determined to be limited English proficient for
28 a budget year beginning on or after July 1, 2010, and may be
29 included in the weighted enrollment of the school district for
30 a period not exceeding five years.

31 The bill increases the amount of the supplementary weighting
32 for those students identified as limited English proficient to
33 0.30 per student.

34 The bill also specifies the number of years during which the
35 additional weighting may be included in the school district's

LSB 1740XS (2) 86

-2-

md/sc

2/3



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.F. 77

1 weighted enrollment. For students first determined to be
2 limited English proficient for a budget year beginning on or
3 after July 1, 2010, but before July 1, 2015, the additional
4 weighting may be included for a period not exceeding five
5 years. For students first determined to be limited English
6 proficient for the budget year beginning on July 1, 2015, the
7 additional weighting may be included for a period not exceeding
8 six years. For students first determined to be limited English
9 proficient for a budget year beginning on or after July 1,
10 2016, the additional weighting may be included for a period not
11 exceeding seven years.

12 The bill takes effect upon enactment and applies to school
13 budget years beginning on or after July 1, 2015.



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

Senate File 78 - Introduced

SENATE FILE 78
BY CHAPMAN

A BILL FOR

1 An Act to establish a future repeal date for all administrative
2 rules.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 1624XS (2) 86
je/rj



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.F. 78

1 Section 1. Section 17A.5, Code 2015, is amended by adding
2 the following new subsection:

3 NEW SUBSECTION. 3. A rule made effective in whole or in
4 part pursuant to this section on or after July 1, 2015, shall
5 cease to be effective five years after such effective date.
6 The rule, or portion of the rule, may be adopted anew by the
7 agency using the procedure set out in section 17A.4, subsection
8 1.

9 EXPLANATION

10 The inclusion of this explanation does not constitute agreement with
11 the explanation's substance by the members of the general assembly.

12 This bill provides that a rule made effective in whole or
13 in part on or after July 1, 2015, ceases to be effective five
14 years after the rule's effective date. The rule or portion
15 of the rule may be readopted by publishing a new notice of
16 intended action and subsequently acting to adopt the noticed
17 rule.



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

Senate File 79 - Introduced

SENATE FILE 79
BY BOLKCOM and DVORSKY

A BILL FOR

1 An Act relating to sexual assault policies adopted by state and
2 accredited private postsecondary institutions.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 1481XS (5) 86
kh/rj



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.F. 79

1 Section 1. Section 260C.14, subsection 18, Code 2015, is
2 amended to read as follows:

3 18. Develop and implement a written policy, ~~which is~~
4 concerning sexual assault as defined in section 915.40, and
5 domestic violence, dating violence, and stalking as defined in
6 the federal Higher Education Act of 1965, 20 U.S.C. §1092(f),
7 involving a student, both on and off campus. The policy shall
8 be disseminated during student registration or orientation,
9 addressing and shall do all of the following four areas
10 relating to sexual abuse:

11 a. Include an affirmative consent standard in the
12 determination of whether consent was given by both parties to
13 sexual activity. For purposes of this subsection, "affirmative
14 consent" means affirmative, conscious, and voluntary agreement
15 to engage in sexual activity. Under such standard, each
16 person engaged in the sexual activity is responsible for
17 ensuring that the person has the affirmative consent of any
18 other person engaging in the sexual activity. Lack of protest
19 or resistance does not mean consent. Silence does not mean
20 consent. Affirmative consent must be ongoing throughout a
21 sexual activity and can be revoked at any time. The existence
22 of a dating relationship between the persons involved, or the
23 fact of past sexual relations between them, shall not by itself
24 be assumed to be an indicator of consent.

25 b. Address the following four affected areas:

26 (1) Counseling.

27 ~~b.~~ (2) Campus security.

28 ~~c.~~ (3) Education, including prevention, protection, and the
29 rights and duties of students and employees of the community
30 college.

31 ~~d.~~ (4) Facilitating the The accurate and prompt reporting
32 of sexual assault including sexual abuse, domestic violence,
33 dating violence, and stalking to the duly constituted law
34 enforcement authorities.

35 Sec. 2. Section 261.9, subsection 1, paragraph f, Code 2015,

LSB 1481XS (5) 86

-1-

kh/rj

1/4



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.F. 79

1 is amended to read as follows:

2 *f.* Develops and implements a written policy, ~~which is~~
3 concerning sexual assault as defined in section 915.40, and
4 domestic violence, dating violence, and stalking as defined in
5 the federal Higher Education Act of 1965, 20 U.S.C. §1092(f),
6 involving a student, both on and off campus. The policy shall
7 be disseminated during student registration or orientation,
8 addressing and shall do all of the following four areas
9 relating to sexual abuse:

10 (1) Include an affirmative consent standard in the
11 determination of whether consent was given by both parties to
12 sexual activity. For purposes of this subsection, "affirmative
13 consent" means affirmative, conscious, and voluntary agreement
14 to engage in sexual activity. Under such standard, each
15 person engaged in the sexual activity is responsible for
16 ensuring that the person has the affirmative consent of any
17 other person engaging in the sexual activity. Lack of protest
18 or resistance does not mean consent. Silence does not mean
19 consent. Affirmative consent must be ongoing throughout a
20 sexual activity and can be revoked at any time. The existence
21 of a dating relationship between the persons involved, or the
22 fact of past sexual relations between them, shall not by itself
23 be assumed to be an indicator of consent.

24 (2) Address the following four affected areas:

25 (a) Counseling.

26 ~~(2)~~ (b) Campus security.

27 ~~(3)~~ (c) Education, including prevention, protection,
28 and the rights and duties of students and employees of the
29 institution.

30 ~~(4)~~ (d) Facilitating the The accurate and prompt reporting
31 of sexual assault including sexual abuse, domestic violence,
32 dating violence, and stalking to the duly constituted law
33 enforcement authorities.

34 Sec. 3. Section 262.9, subsection 28, Code 2015, is amended
35 to read as follows:

LSB 1481XS (5) 86

-2-

kh/rj

2/4



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.F. 79

1 28. Develop and implement a written policy, ~~which is~~
2 concerning sexual assault as defined in section 915.40, and
3 domestic violence, dating violence, and stalking as defined in
4 the federal Higher Education Act of 1965, 20 U.S.C. §1092(f),
5 involving a student, both on and off campus. The policy shall
6 be disseminated during registration or orientation, addressing
7 and shall do all of the following four areas relating to sexual
8 abuse:

9 a. Include an affirmative consent standard in the
10 determination of whether consent was given by both parties to
11 sexual activity. For purposes of this subsection, "affirmative
12 consent" means affirmative, conscious, and voluntary agreement
13 to engage in sexual activity. Under such standard, each
14 person engaged in the sexual activity is responsible for
15 ensuring that the person has the affirmative consent of any
16 other person engaging in the sexual activity. Lack of protest
17 or resistance does not mean consent. Silence does not mean
18 consent. Affirmative consent must be ongoing throughout a
19 sexual activity and can be revoked at any time. The existence
20 of a dating relationship between the persons involved, or the
21 fact of past sexual relations between them, shall not by itself
22 be assumed to be an indicator of consent.

23 b. Address the following four affected areas:

24 (1) Counseling.

25 ~~b.~~ (2) Campus security.

26 ~~c.~~ (3) Education, including prevention, protection, and the
27 rights and duties of students and employees of the institution.

28 ~~d.~~ (4) Facilitating the The accurate and prompt reporting
29 of sexual assault including sexual abuse, domestic violence,
30 dating violence, and stalking to the duly constituted law
31 enforcement authorities.

32 EXPLANATION

33 The inclusion of this explanation does not constitute agreement with
34 the explanation's substance by the members of the general assembly.

35 This bill modifies the current requirement that all

LSB 1481XS (5) 86

-3-

kh/rj

3/4



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.F. 79

1 community colleges, regents universities, and accredited
2 postsecondary private institutions develop, implement, and
3 disseminate a written sexual assault policy. The bill provides
4 that the policy developed, implemented, and disseminated
5 concerns sexual assault including sexual abuse, domestic
6 violence, dating violence, and stalking involving a student,
7 both on and off campus.

8 The policy shall include an affirmative consent standard in
9 the determination of whether consent was given by parties to
10 the sexual activity. The bill defines "affirmative consent" to
11 mean affirmative, conscious, and voluntary agreement to engage
12 in sexual activity. Under that standard, each person involved
13 in the sexual activity is responsible for ensuring that the
14 person has the affirmative consent of any other person engaging
15 in the sexual activity. Lack of protest or resistance does
16 not mean consent. Silence does not mean consent. Affirmative
17 consent must be ongoing throughout a sexual activity and can be
18 revoked at any time. The existence of a dating relationship
19 between the persons involved, or the fact of past sexual
20 relations between them, shall not by itself be assumed to be
21 an indicator of consent.

22 The policy must also address the accurate and prompt
23 reporting of sexual assault including sexual abuse, domestic
24 violence, dating violence, and stalking to the duly constituted
25 law enforcement authorities.



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

Senate File 80 - Introduced

SENATE FILE 80

BY JOCHUM, SCHOENJAHN, McCOY,
QUIRMBACH, SODDERS, MATHIS,
DVORSKY, DOTZLER, BOLKCOM,
BISIGNANO, PETERSEN,
WILHELM, TAYLOR, HORN,
DEARDEN, COURTNEY, RAGAN,
SEGEBART, JOHNSON, ZAUN,
and ALLEN

(COMPANION TO LSB 1703HH BY H.
MILLER)

A BILL FOR

1 An Act establishing a notification requirement for mammogram
2 reports to patients.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSE 1703XS (4) 86
pf/nh



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.F. 80

1 Section 1. Section 136C.3, subsection 10, Code 2015, is
2 amended to read as follows:

3 10. a. Adopt rules specifying the minimum training and
4 performance standards for an individual using a radiation
5 machine for mammography, and other rules necessary to
6 implement section 136C.15. The rules shall complement federal
7 requirements applicable to similar radiation machinery and
8 shall not be less stringent than those federal requirements.

9 b. (1) Adopt rules to require that, by January 1, 2016,
10 a facility at which mammography services are performed shall
11 include information on breast density in mammogram reports
12 sent to patients pursuant to regulations implementing the
13 federal Mammography Quality Standards Act of 1992, Pub. L.
14 No. 102-539, as amended. If a patient is categorized by the
15 facility as having heterogeneously dense breasts or extremely
16 dense breasts based on standards as defined in nationally
17 recognized guidelines or systems for breast imaging reporting
18 of mammography screening, including the breast imaging
19 reporting and data system of the American college of radiology,
20 the report to the patient shall include notice that the patient
21 has dense breast tissue, that this may make it more difficult
22 to detect cancer on a mammogram, and that it may increase the
23 patient's risk of breast cancer. The notice may contain the
24 following language:

25 "Your mammogram indicates that you have dense breast tissue.
26 Dense breast tissue is relatively common. However, dense
27 breast tissue may make it more difficult to evaluate the
28 results of your mammogram and may also be associated with an
29 increased risk of breast cancer. This information is provided
30 to you to raise your own awareness and to help inform your
31 conversations with your referring physician who has received
32 a report of your mammogram results. Contact your referring
33 physician if you have questions or concerns about this report.
34 Together you can decide which additional screening options are
35 right for you based on your mammogram results, individual risk

LSB 1703XS (4) 86

-1-

pf/nh

1/2



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.F. 80

1 factors, or physical examination."

2 (2) Nothing in this paragraph "b" shall be construed to
3 create or impose liability on a facility where mammography
4 services are performed beyond the duty to provide the
5 information set forth in this paragraph "b".

6 (3) Nothing in this paragraph "b" shall be deemed to require
7 a notice or the provision of information that is inconsistent
8 with the provisions of the federal Mammography Quality
9 Standards Act of 1992, Pub. L. No. 102-539, as amended, or any
10 regulations promulgated pursuant to that Act.

11 EXPLANATION

12 The inclusion of this explanation does not constitute agreement with
13 the explanation's substance by the members of the general assembly.

14 This bill establishes a notification requirement for
15 mammogram reports to patients. The bill directs the department
16 of public health to adopt rules that require a facility
17 performing mammography services to include information on
18 breast density in reports sent to patients pursuant to federal
19 law and rules. If a patient is categorized by the facility
20 as having heterogeneously dense breasts or extremely dense
21 breasts based on national standards the report to the patient
22 must include notice that the patient has dense breast tissue,
23 that this may make it more difficult to detect cancer on a
24 mammogram, and that it may increase the patient's risk of
25 breast cancer. The bill provides language that such notice may
26 contain.

27 The bill's provisions are not to be construed to impose
28 liability on the facility performing mammography services
29 beyond the duty to provide the breast density information.

30 Facilities providing mammography services must comply with
31 the bill's requirements by January 1, 2016.



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

Senate File 81 - Introduced

SENATE FILE 81
BY JOCHUM

A BILL FOR

1 An Act making certain students who are enrolled at certain
2 barber schools or schools of cosmetology arts and sciences
3 eligible for vocational-technical tuition grants.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 1730XS (2) 86
kh/nh



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.F. 81

1 Section 1. Section 261.17, subsections 1, 2, and 5, Code
2 2015, are amended to read as follows:

3 1. A vocational-technical tuition grant may be awarded to
4 any resident of Iowa who is admitted and in attendance as a
5 full-time or part-time student in a vocational-technical or
6 career option program at ~~a community college~~ an eligible school
7 in the state, and who establishes financial need. For purposes
8 of this section, "eligible school" means a community college as
9 established under chapter 260C or an eligible school as defined
10 in section 261.61, subsection 9.

11 2. All classes, including liberal arts classes, identified
12 by the ~~community college~~ eligible school as required for
13 completion of the student's vocational-technical or career
14 option program or courses required for completion of a
15 course of study required for licensure as provided in
16 section 157.10 or 158.8 shall be considered a part of the
17 student's vocational-technical or career option program for
18 the purpose of determining the student's eligibility for a
19 grant. Notwithstanding subsection 3, if a student is making
20 satisfactory academic progress but the student cannot complete
21 a vocational-technical or career option program in the time
22 frame allowed for a student to receive a vocational-technical
23 tuition grant as provided in subsection 3 because additional
24 classes are required to complete the program, the student may
25 continue to receive a vocational-technical tuition grant for
26 not more than one additional enrollment period.

27 5. A vocational-technical tuition grant shall be awarded
28 on an annual basis, requiring reapplication by the student for
29 each year. Payments under the grant shall be allocated equally
30 among the semesters or quarters of the year upon certification
31 by the ~~institution~~ eligible school that the student is in
32 full-time or part-time attendance in a vocational-technical or
33 career option program, as defined under rules of the department
34 of education. If the student discontinues attendance before
35 the end of any term after receiving payment of the grant, the

LSB 1730XS (2) 86

-1-

kh/nh

1/2



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.F. 81

1 entire amount of any refund due that student, up to the amount
2 of any payments made under the annual grant, shall be paid by
3 the institution to the state.

4 Sec. 2. Section 261.17, subsection 7, paragraph a, Code
5 2015, is amended to read as follows:

6 a. Provide application forms for distribution to students by
7 Iowa high schools and ~~community colleges~~ eligible schools.

8 EXPLANATION

9 The inclusion of this explanation does not constitute agreement with
10 the explanation's substance by the members of the general assembly.

11 This bill allows a student who receives a
12 vocational-technical tuition grant to use the grant at
13 a barber school or a school of cosmetology arts and sciences
14 that meets the requirements established under the bill, or at a
15 community college. Currently, such a grant can be used only
16 at a community college.

17 The requirements for a barber school or a school of
18 cosmetology arts and sciences include being accredited by a
19 national accrediting agency recognized by the United States
20 department of education and meeting the criteria established
21 for accredited postsecondary institutions in Code section
22 261.9, subsection 1, paragraphs "d" through "g".



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

Senate File 82 - Introduced

SENATE FILE 82
BY JOCHUM

A BILL FOR

1 An Act allowing the Iowa public information board and the
2 office of ombudsman access in the performance of their
3 duties to the minutes and audio recording of a closed
4 session.
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSE 1970XS (3) 86
rh/rj



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.F. 82

1 Section 1. Section 21.5, subsection 4, Code 2015, is amended
2 to read as follows:

3 4. a. A governmental body shall keep detailed minutes of
4 all discussion, persons present, and action occurring at a
5 closed session, and shall also audio record all of the closed
6 session.

7 b. The detailed minutes and audio recording of a closed
8 session shall be sealed and shall not be public records open
9 to public inspection. However, upon order of the court in
10 an action to enforce this chapter, the detailed minutes and
11 audio recording shall be unsealed and examined by the court
12 in camera. The court shall then determine what part, if
13 any, of the minutes should be disclosed to the party seeking
14 enforcement of this chapter for use in that enforcement
15 proceeding. In determining whether any portion of the
16 minutes or recording shall be disclosed to such a party for
17 this purpose, the court shall weigh the prejudicial effects
18 to the public interest of the disclosure of any portion of
19 the minutes or recording in question, against its probative
20 value as evidence in an enforcement proceeding. After such
21 a determination, the court may permit inspection and use of
22 all or portions of the detailed minutes and audio recording by
23 the party seeking enforcement of this chapter. A governmental
24 body shall keep the detailed minutes and audio recording of any
25 closed session for a period of at least one year from the date
26 of that meeting, except as otherwise required by law.

27 (1) This paragraph "b" does not require the Iowa public
28 information board to obtain a court order to examine the
29 detailed minutes and audio recording of a closed session for
30 the purpose of resolving a complaint alleging a violation of
31 this chapter. Any portion of the minutes or recording released
32 by a governmental body to the Iowa public information board
33 shall remain confidential pursuant to section 23.6, subsection
34 6.

35 (2) This paragraph "b" does not require the office of

LSB 1970XS (3) 86

-1-

rh/rj

1/2



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.F. 82

1 ombudsman to obtain a court order to examine the detailed
2 minutes and audio recording of a closed session when such
3 examination is relevant to an investigation under chapter 2C
4 and the information sought is not available through other
5 reasonable means. Any portion of the minutes or recording
6 released by a governmental body to the Iowa public information
7 board shall remain confidential pursuant to section 2C.9.

8 EXPLANATION

9 The inclusion of this explanation does not constitute agreement with
10 the explanation's substance by the members of the general assembly.

11 Under current law, meetings of a governmental body under
12 Iowa's open meetings law (Code chapter 21) are required to be
13 preceded by public notice and shall be held in open session.
14 A governmental body may hold a closed session under certain
15 circumstances and the minutes and audio recording of a closed
16 session are not accessible to the public unless the person
17 seeking access to the records files an action in court.

18 This bill provides that the Iowa public information board
19 is not required to obtain a court order to examine the minutes
20 and audio recording of a closed session for the purpose
21 of resolving complaints alleging violations of Iowa's open
22 meetings law. Similarly, the office of ombudsman is not
23 required to obtain a court order to examine the minutes and
24 audio recording of a closed session when such examination is
25 relevant to an investigation under Code chapter 2C (ombudsman's
26 office) and the information is not available through other
27 means.



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

Senate File 83 - Introduced

SENATE FILE 83
BY BISIGNANO

A BILL FOR

1 An Act providing a property assessment adjustment and a
2 property tax adjustment for certain property of persons
3 who have attained the age of seventy, applying income
4 limitations, providing a penalty, and including retroactive
5 and other applicability provisions.
6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 1756XS (1) 86
md/sc



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.F. 83

1 Section 1. NEW SECTION. 425B.1 Homestead assessed value
2 adjustment — purpose.

3 Persons who own their homesteads and who meet the
4 qualifications provided in this chapter are eligible for
5 an adjustment in the assessed value of their homesteads or
6 an adjustment of the amount of taxes levied against their
7 homestead, as provided in this chapter, to prevent an increase
8 in such values or an increase in the amount of taxes levied.

9 Sec. 2. NEW SECTION. 425B.2 Definitions.

10 As used in this chapter, unless the context otherwise
11 requires:

12 1. "*Assessed value*" means the actual value prior to any
13 adjustment pursuant to section 441.21, subsection 4.

14 2. "*Base assessment year*" means the assessment year
15 beginning in the base year.

16 3. "*Base year*" means the calendar year last ending before
17 the claim is filed.

18 4. "*Claimant*" means a person filing a claim for adjustment
19 under this chapter who has attained the age of seventy years
20 on or before December 31 of the base year and is domiciled in
21 this state at the time the claim is filed or at the time of the
22 person's death in the case of a claim filed by the executor or
23 administrator of the claimant's estate.

24 5. "*Earned income*" means the same as defined in section 32
25 of the Internal Revenue Code.

26 6. "*Homestead*" means the dwelling owned and actually used
27 as a home by the claimant during at least six months of the
28 base year and each of the nine years immediately preceding the
29 base year, and so much of the land surrounding it, including
30 one or more contiguous lots or tracts of land, as is reasonably
31 necessary for use of the dwelling as a home, and may consist
32 of a part of a multidwelling or multipurpose building and a
33 part of the land upon which it is built. It does not include
34 personal property except that a manufactured or mobile home
35 may be a homestead. Any dwelling or a part of a multidwelling

LSB 1756XS (1) 86

-1-

md/sc

1/6



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.F. 83

1 or multipurpose building which is exempt from taxation does
2 not qualify as a homestead under this chapter. A homestead
3 must be located in this state. When a person is confined in a
4 nursing home, extended-care facility, or hospital, the person
5 shall be considered as occupying or living in the person's
6 homestead if the person is the owner of the homestead and the
7 person maintains the homestead and does not lease, rent, or
8 otherwise receive profits from other persons for the use of the
9 homestead.

10 7. "Owned" means owned by an owner as defined in section
11 425.11.

12 Sec. 3. NEW SECTION. 425B.3 Right to file a claim.

13 The right to file a claim for an assessed value adjustment
14 under this chapter may be exercised by the claimant or on
15 behalf of a claimant by the claimant's legal guardian, spouse,
16 or attorney, or by the executor or administrator of the
17 claimant's estate. If a claimant dies after having filed a
18 claim for adjustment, the amount of any adjustment shall be
19 made as if the claimant had not died.

20 Sec. 4. NEW SECTION. 425B.4 Claim for adjustment.

21 1. Subject to the limitations provided in this chapter,
22 a claimant may annually claim an adjustment of the assessed
23 value of the claimant's homestead for the base assessment year.
24 The adjustment claim shall be filed with the county assessor
25 between January 1 and February 15 immediately following
26 the close of the base assessment year. However, in case of
27 sickness, absence, or other disability of the claimant, or
28 if in the judgment of the county assessor good cause exists,
29 the county assessor may extend the time for filing a claim for
30 adjustment through June 30 of the same calendar year.

31 2. The county assessor shall notify the department of
32 revenue by March 1 of the number of claimants receiving
33 adjustments under this chapter and the total amount of the
34 reduced assessed values for the base assessment year.

35 Sec. 5. NEW SECTION. 425B.5 Adjustment — maximum tax

LSB 1756XS (1) 86

-2-

md/sc

2/6



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.F. 83

1 dollars levied.

2 1. If the earned income qualification specified in
3 subsection 2 is met, the assessed value of the claimant's
4 homestead in the base assessment year shall be adjusted, but
5 not increased, to equal the assessed value, as such assessed
6 value may have been adjusted pursuant to this chapter, in
7 the assessment year preceding the base assessment year. If
8 the amount of property taxes levied against the adjusted
9 assessment exceeds the amount of property taxes levied against
10 the property in the fiscal year for which taxes were first
11 levied against an adjusted assessment under this chapter, the
12 treasurer shall subtract the difference from the amount due.

13 2. A claimant is eligible for an adjustment to the assessed
14 value of the claimant's homestead if the claimant's household
15 earned income is less than twelve thousand dollars in the base
16 year.

17 Sec. 6. NEW SECTION. 425B.6 Administration.

18 The director of revenue shall make available suitable forms
19 for claiming an assessed value adjustment with instructions
20 for claimants. Each assessor and county treasurer shall make
21 available the forms and instructions. The claim shall be in a
22 form as the director may prescribe.

23 Sec. 7. NEW SECTION. 425B.7 Proof of claim.

24 1. Every claimant shall give the department of revenue, in
25 support of the claim, reasonable proof of:

26 a. Age.

27 b. Changes of homestead.

28 c. Size and nature of the property claimed as the homestead.

29 d. Household earned income.

30 2. The director of revenue may require any additional proof
31 necessary to support a claim.

32 Sec. 8. NEW SECTION. 425B.8 Audit — denial.

33 If on the audit of a claim for adjustment under this
34 chapter, the director of revenue determines the claim is not
35 allowable, the director shall notify the claimant of the denial

LSB 1756XS (1) 86

-3-

md/sc

3/6



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.F. 83

1 and the reasons for it. The director shall not deny a claim
2 after three years from October 31 of the year in which the
3 claim was filed. The director shall give notification to the
4 county assessor of the denial of the claim and the county
5 assessor shall instruct the county treasurer to proceed to
6 collect the tax that would have been levied on the applicable
7 adjusted assessed value in the same manner as other property
8 taxes due and payable are collected, if the property on which
9 the adjustment was granted is still owned by the claimant.
10 However, if the claim was incorrectly allowed due to a clerical
11 error, error by a person other than the claimant, or an
12 innocent misrepresentation by or on behalf of the claimant, the
13 proceedings to collect the tax shall be limited to the taxes
14 due and payable in the twelve months immediately preceding the
15 disallowance.

16 Sec. 9. NEW SECTION. **425B.9 Waiver of confidentiality.**

17 1. A claimant shall expressly waive any right to
18 confidentiality relating to all income tax information
19 obtainable through the department of revenue including all
20 information covered by sections 422.20 and 422.72. This waiver
21 shall apply to information available to the county assessor who
22 shall hold the information confidential except that it may be
23 used as evidence to disallow the assessed value adjustment.

24 2. The department of revenue may release information
25 pertaining to a person's eligibility or claim for or receipt of
26 the assessed value adjustment to an employee of the department
27 of inspections and appeals in the employee's official conduct
28 of an audit or investigation.

29 Sec. 10. NEW SECTION. **425B.10 False claim — penalty.**

30 A person who makes a false affidavit for the purpose of
31 obtaining an adjustment in assessed value provided for in
32 this chapter or who knowingly receives the adjustment without
33 being legally entitled to it or makes claim for the adjustment
34 in more than one county in the state without being legally
35 entitled to it is guilty of a fraudulent practice. The claim

LSB 1756XS (1) 86

-4-

md/sc

4/6



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.F. 83

1 for adjustment shall be disallowed in full and property tax
2 shall be levied on the disallowed adjustment at the rate that
3 would have been levied but for the adjustment. The director of
4 revenue shall send a notice of disallowance of the claim.

5 Sec. 11. NEW SECTION. 425B.11 Notices.

6 Section 423.39, subsection 1, shall apply to all notices
7 under this chapter.

8 Sec. 12. NEW SECTION. 425B.12 Appeals.

9 Any person aggrieved by an act or decision of the director
10 of revenue or the department of revenue under this chapter
11 shall have the same rights of appeal and review as provided in
12 sections 421.1 and 423.38 and the rules of the department of
13 revenue.

14 Sec. 13. NEW SECTION. 425B.13 Disallowance of certain
15 claims.

16 A claim for adjustment shall be disallowed if the department
17 finds that the claimant or a person of the claimant's household
18 received title to the homestead primarily for the purpose of
19 receiving benefits under this chapter.

20 Sec. 14. NEW SECTION. 425B.14 Rules.

21 The director of revenue shall adopt rules in accordance with
22 chapter 17A for the interpretation and administration of this
23 chapter, including rules to prevent and disallow duplication of
24 benefits and to prevent any unreasonable hardship or advantage
25 to any person.

26 Sec. 15. APPLICABILITY. This Act applies retroactively to
27 January 1, 2015, for assessment years beginning on or after
28 that date and to the filing of claims on or after January 1,
29 2016, for adjustments of assessed values.

30 EXPLANATION

31 The inclusion of this explanation does not constitute agreement with
32 the explanation's substance by the members of the general assembly.

33 This bill provides for an adjustment in the assessed value
34 of a homestead, as defined in the bill, if the owner has owned
35 the homestead for at least 10 years and is a person who is 70 or

LSB 1756XS (1) 86

-5-

md/sc

5/6



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.F. 83

1 older and who has household earned income of less than \$12,000
2 per year. If the qualifications established in the bill are
3 met, the assessed value of the homestead upon which property
4 taxes are levied in a fiscal year is the same assessed value as
5 for the previous fiscal year. The bill specifies that assessed
6 value is that value prior to any rollback being applied.

7 The bill further provides that if the amount of property
8 taxes levied against the adjusted assessment exceeds the amount
9 of property taxes levied against the property in the fiscal
10 year for which taxes were first levied against an adjusted
11 assessment under the bill, the county treasurer is required to
12 subtract such difference from the amount due.

13 The bill provides that a person who makes a false affidavit
14 for the purpose of obtaining an adjustment, knowingly receives
15 the adjustment without being legally entitled to it, or makes
16 claim for the adjustment in more than one county without being
17 legally entitled to it is guilty of a fraudulent practice and
18 is subject to a criminal penalty.

19 The bill applies retroactively to January 1, 2015, for
20 assessment years beginning on or after that date and applies to
21 claims filed on or after January 1, 2016, for the adjustments.



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

Senate File 84 - Introduced

SENATE FILE 84
BY COURTNEY

A BILL FOR

1 An Act prohibiting employers and employment agencies from
2 seeking the criminal record or criminal history from
3 applicants for employment under certain circumstances,
4 providing penalties, and including effective date
5 provisions.
6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 1004XS (4) 86
je/rj



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.F. 84

1 Section 1. Section 84A.5, subsection 4, Code 2015, is
2 amended to read as follows:

3 4. The division of labor services is responsible for the
4 administration of the laws of this state under chapters 88,
5 88A, 88B, 89, 89A, 89B, 90A, 91, 91A, 91C, 91D, 91E, 91F, 92,
6 and 94A, and section 85.68. The executive head of the division
7 is the labor commissioner, appointed pursuant to section 91.2.

8 Sec. 2. Section 91.4, subsection 2, Code 2015, is amended
9 to read as follows:

10 2. The director of the department of workforce development,
11 in consultation with the labor commissioner, shall, at the
12 time provided by law, make an annual report to the governor
13 setting forth in appropriate form the business and expense of
14 the division of labor services for the preceding year, the
15 number of remedial actions taken under chapter 89A, the number
16 of disputes or violations processed by the division and the
17 disposition of the disputes or violations, and other matters
18 pertaining to the division which are of public interest,
19 together with recommendations for change or amendment of the
20 laws in this chapter and chapters 88, 88A, 88B, 89, 89A, 89B,
21 90A, 91A, 91C, 91D, 91E, 91F, 92, and 94A, and section 85.68,
22 and the recommendations, if any, shall be transmitted by the
23 governor to the first general assembly in session after the
24 report is filed.

25 Sec. 3. NEW SECTION. 91F.1 Definitions.

26 1. "*Applicant*" means a person pursuing employment with an
27 employer or with or through an employment agency.

28 2. "*Commissioner*" means the labor commissioner, appointed
29 pursuant to section 91.2, or the labor commissioner's designee.

30 3. "*Employer*" means a person who has fifteen or more
31 employees in the current or preceding calendar year and
32 includes an agent of such a person.

33 4. "*Employment agency*" means a person who, with or without
34 compensation, regularly brings together those desiring to
35 employ and those desiring employment and includes an agent of

LSB 1004XS (4) 86

-1-

je/rj

1/5



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.F. 84

1 such a person.

2 Sec. 4. NEW SECTION. 91F.2 Prohibited hiring practices.

3 1. An employer or employment agency shall not inquire about,
4 consider, or require disclosure of the criminal record or
5 criminal history of an applicant until the applicant has been
6 determined qualified for the position and notified that the
7 applicant has been selected for an interview by the employer or
8 employment agency or, if an interview will not be conducted,
9 until after a conditional offer of employment is made to the
10 applicant by the employer or employment agency.

11 2. Subsection 1 does not apply to the following positions:

12 a. Positions where employers are required to exclude
13 applicants with certain criminal convictions from employment
14 due to federal or state law.

15 b. Positions where a fidelity bond or an equivalent bond is
16 required and an applicant's conviction of one or more specified
17 criminal offenses would disqualify the applicant from obtaining
18 such bond, in which case an employer may include a question or
19 otherwise inquire whether the applicant has ever been convicted
20 of such specified criminal offenses.

21 3. Subsection 1 does not prohibit an employer or employment
22 agency from notifying applicants in writing of specific
23 offenses that will disqualify an applicant from employment in a
24 particular position as permitted by subsection 2.

25 Sec. 5. NEW SECTION. 91F.3 Powers and duties of the
26 commissioner.

27 1. The commissioner may hold hearings and investigate
28 alleged violations of this chapter by an employer or employment
29 agency.

30 2. The commissioner may recover civil penalties in
31 accordance with section 91F.5.

32 Sec. 6. NEW SECTION. 91F.4 Civil penalties — amount.

33 An employer or employment agency who violates the provisions
34 of this chapter shall be subject to a penalty as follows:

35 1. For a first violation, the commissioner shall issue

LSB 1004XS (4) 86

-2-

je/rj

2/5



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.F. 84

1 a written warning to the employer or employment agency that
2 includes notice regarding penalties for subsequent violations
3 and the employer or employment agency shall have thirty days
4 to remedy the violation.

5 2. For a second violation, or if a previous violation is not
6 remedied within thirty days of notice by the commissioner, the
7 commissioner may impose a civil penalty of up to five hundred
8 dollars.

9 3. For a third violation, or if a previous violation is not
10 remedied within sixty days of notice by the commissioner, the
11 commissioner may impose a civil penalty of up to one thousand
12 five hundred dollars.

13 4. For subsequent violations, or if a previous violation is
14 not remedied within ninety days of notice by the commissioner,
15 the commissioner may impose a civil penalty of up to one
16 thousand five hundred dollars for every thirty days that pass
17 thereafter without compliance.

18 Sec. 7. NEW SECTION. 91F.5 Civil penalties — recovery.

19 1. The commissioner may propose that an employer be assessed
20 a civil penalty as provided in section 91F.4 by serving the
21 employer with notice of such proposal in the same manner as an
22 original notice is served under the rules of civil procedure.
23 Upon service of such notice, the proposed assessment shall be
24 treated as a contested case under chapter 17A. However, an
25 employer or employment agency must request a hearing within
26 thirty days of being served.

27 2. If an employer or employment agency does not request
28 a hearing pursuant to subsection 1 or if the commissioner
29 determines, after an appropriate hearing, that an employer
30 or employment agency is in violation of this chapter, the
31 commissioner shall assess a civil penalty in accordance with
32 section 91F.4.

33 3. An employer or employment agency may seek judicial review
34 of any assessment rendered under subsection 2 by instituting
35 proceedings for judicial review pursuant to chapter 17A.

LSB 1004XS (4) 86

-3-

je/rj

3/5



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.F. 84

1 However, such proceedings must be instituted in the district
2 court of the county in which the violation or one of the
3 violations occurred and within thirty days of the day on which
4 the employer was notified that an assessment has been rendered.

5 4. After the time for seeking judicial review has expired
6 or after all judicial review has been exhausted and the
7 commissioner's assessment has been upheld, the commissioner
8 shall request the attorney general to recover the assessed
9 penalties in a civil action.

10 5. Civil penalties recovered pursuant to this section shall
11 be remitted by the commissioner to the treasurer of state for
12 deposit in the general fund of the state.

13 Sec. 8. EFFECTIVE DATE. This Act takes effect January 1,
14 2016.

EXPLANATION

16 The inclusion of this explanation does not constitute agreement with
17 the explanation's substance by the members of the general assembly.

18 This bill prohibits an employer or employment agency from
19 inquiring about, considering, or requiring disclosure of the
20 criminal record or criminal history of an applicant until the
21 applicant has been determined qualified for the position and
22 notified that the applicant has been selected for an interview
23 by the employer or employment agency. If an interview for
24 the position will not be conducted, the prohibition applies
25 until after a conditional offer of employment is made to the
26 applicant by the employer or employment agency.

27 The prohibition does not apply to positions where employers
28 are required to exclude applicants with certain criminal
29 convictions from employment due to federal or state law. The
30 prohibition also does not apply to positions where a fidelity
31 bond or an equivalent bond is required and an applicant's
32 conviction of one or more specified criminal offenses would
33 disqualify the applicant from obtaining such bond, in which
34 case an employer may include a question or otherwise inquire
35 whether the applicant has ever been convicted of such specified

LSB 1004XS (4) 86

-4-

je/rj

4/5



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.F. 84

1 criminal offenses. The bill does not prohibit an employer
2 or employment agency from notifying applicants in writing
3 of specific offenses that will disqualify an applicant from
4 employment in a particular position as permitted by these
5 exceptions.

6 The bill defines "applicant" as a person pursuing employment
7 with an employer or with or through an employment agency.
8 The bill defines "employer" as a person who has 15 or more
9 employees in the current or preceding calendar year and an
10 agent of such a person. The bill defines "employment agency"
11 as a person who, with or without compensation, regularly brings
12 together those desiring to employ and those desiring employment
13 and an agent of such a person.

14 An employer or employment agency that violates the
15 provisions of the bill is subject to civil penalties ranging
16 from a written warning for a first violation to up to \$1,500
17 every 30 days for a fourth or subsequent violation not remedied
18 within 90 days.

19 The labor commissioner may hold hearings and investigate
20 alleged violations of the bill by an employer or employment
21 agency and may recover civil penalties according to the
22 provisions of the bill. The bill provides procedures for the
23 recovery of civil penalties.

24 The bill takes effect January 1, 2016.



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

Senate File 85 - Introduced

SENATE FILE 85
BY COURTNEY

A BILL FOR

1 An Act requiring the Iowa law enforcement academy to develop
2 training standards for the use of electronic control
3 devices, including stun guns and tasers, by law enforcement
4 agencies throughout the state.
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 1060SS (3) 86
jm/rj



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.F. 85

1 Section 1. NEW SECTION. 80B.19 Electronic control devices
2 — training course.

3 1. The academy shall develop training standards for the use
4 of electronic control devices, including stun guns and tasers,
5 by law enforcement agencies throughout the state.

6 2. The training standards shall include the completion of an
7 electronic control devices safety course by peace officers and
8 jailers prior to the use of electronic control devices. The
9 electronic control devices safety course shall include but is
10 not limited to the following:

11 a. Developing a basic knowledge and understanding of
12 electronic control devices that encompasses their use, storage,
13 and maintenance.

14 b. Diagnosing malfunctions.

15 c. Identifying conditions and circumstances where the use of
16 electronic control devices is appropriate or inappropriate.

17 d. Identifying persons whose health may be severely impacted
18 by the use of electronic control devices.

19 3. The training standards shall also require law
20 enforcement agencies to do the following:

21 a. Conduct an annual review relating to agency use of
22 electronic control devices.

23 b. Retrain peace officers and jailers as new electronic
24 control devices are purchased or as new techniques are
25 developed.

26 c. Develop and adopt agency policies relating to the use of
27 electronic control devices.

28 4. The academy shall adopt rules to administer this section.

29 Sec. 2. IMPLEMENTATION OF ACT. Section 25B.2, subsection
30 3, shall not apply to this Act.

31 EXPLANATION

32 The inclusion of this explanation does not constitute agreement with
33 the explanation's substance by the members of the general assembly.

34 This bill requires the Iowa law enforcement academy to
35 develop training standards for the use of electronic control

LSB 1060SS (3) 86

-1-

jm/rj

1/2



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.F. 85

1 devices, including stun guns and tasers, by law enforcement
2 agencies throughout the state.

3 Under the bill, the training standards shall include the
4 completion of an electronic control devices safety course by
5 peace officers and jailers prior to the use of such devices.
6 The electronic control devices safety course shall include the
7 following: developing a basic knowledge and understanding
8 of control devices that encompasses their use, storage, and
9 maintenance; diagnosing malfunctions; identifying conditions
10 and circumstances where the use of devices is appropriate or
11 inappropriate; and identifying persons whose health may be
12 severely impacted by the use of devices.

13 The training standards under the bill shall also require law
14 enforcement agencies to do the following: conduct an annual
15 review relating to agency use of electronic control devices,
16 retrain peace officers and jailers when new electronic control
17 devices are purchased or as new techniques are developed, and
18 adopt agency policies relating to the use of electronic control
19 devices.

20 The bill may include a state mandate as defined in Code
21 section 25B.3. The bill makes inapplicable Code section 25B.2,
22 subsection 3, which would relieve a political subdivision from
23 complying with a state mandate if funding for the cost of
24 the state mandate is not provided or specified. Therefore,
25 political subdivisions are required to comply with any state
26 mandate included in the bill.



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

Senate File 86 - Introduced

SENATE FILE 86

BY FEENSTRA

(COMPANION TO HF 2 BY
HEARTSILL)

A BILL FOR

1 An Act relating to registration fees for motor vehicles
2 transferred to nonprofit entities for donation to
3 individuals.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSE 1363XS (1) 86
ns/nh



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.F. 86

1 Section 1. Section 321.105A, subsection 2, paragraph c,
2 Code 2015, is amended by adding the following new subparagraph:
3 NEW SUBPARAGRAPH. (022) A motor vehicle transferred to a
4 nonprofit entity which is exempt from federal income taxation
5 pursuant to section 501(c)(3) of the Internal Revenue Code, in
6 a transaction in which no consideration is given, and for the
7 purpose of donation to an individual served by the nonprofit
8 entity.

9 Sec. 2. NEW SECTION. 321.118 **Donated vehicles.**

10 The annual registration fee for a motor vehicle transferred
11 to a nonprofit entity pursuant to section 321.105A, subsection
12 2, paragraph c, subparagraph (022) is ten dollars. Once the
13 nonprofit entity donates the motor vehicle to an individual
14 served by the nonprofit entity, the registration fee for the
15 motor vehicle shall be calculated pursuant to section 321.109.

16 EXPLANATION

17 The inclusion of this explanation does not constitute agreement with
18 the explanation's substance by the members of the general assembly.

19 This bill relates to registration fees for motor vehicles
20 transferred to nonprofit entities for donation to individuals.
21 The bill provides an exemption from the fee for new
22 registration for vehicles transferred to a nonprofit entity in
23 a transaction involving no consideration, and for the purpose
24 of donation to an individual served by the nonprofit entity.
25 The bill also establishes a registration fee of \$10 for such
26 vehicles and provides that, when the vehicle is donated from
27 the nonprofit entity to the individual, the annual registration
28 fee becomes the regular registration fee for the vehicle.



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

Senate Resolution 1 - Introduced

SENATE RESOLUTION NO. 1

BY COMMITTEE ON RULES AND ADMINISTRATION

1 A Resolution relating to permanent rules of the senate
2 for the ~~eighty-fifth~~ eighty-sixth general assembly.

3 BE IT RESOLVED BY THE SENATE, That the permanent
4 rules of the senate for the ~~eighty-fifth~~ eighty-sixth
5 general assembly be as follows:

6 RULES OF THE SENATE

7 Rule 1

8 Quorum

9 A constitutional majority shall constitute a quorum
10 of the senate. Any senator may insist a quorum be
11 present.

12 Rule 2

13 Adoption and Amendment of Rules

14 Whenever the senate is operating under temporary
15 rules, the rules may be amended or repealed, or
16 permanent rules may be adopted, by a constitutional
17 majority of the senators. After adoption of permanent
18 rules of the senate during any general assembly, the
19 rules may be amended or repealed by a constitutional
20 majority of the senators voting on a simple resolution.

21 Rule 3

22 Rules of Parliamentary Procedure

23 In cases not covered by senate rules or joint rules,
24 Mason's Manual of Legislative Procedure shall govern.

25 Rule 4

26 Sessions of the General Assembly

27 The election of officers, organization, hiring and
28 compensation of employees, and committees of the senate



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.R. 1

1 shall carry over from the first to the second regular
2 sessions and to any extraordinary sessions of the same
3 general assembly.

4 All bills, study bills, and resolutions introduced
5 in the first regular session of a general assembly
6 ~~which are not~~, except those which have been withdrawn,
7 ~~lost, or indefinitely postponed, or have failed,~~
8 shall carry over into the second regular session
9 and to any extraordinary session of the same general
10 assembly. Bills and resolutions which have been voted
11 upon on final passage by either house in any session
12 shall remain on the calendar in the same status as at
13 the end of the session at any subsequent regular or
14 extraordinary session. ~~Appointments received from the~~
15 ~~governor for senate confirmation during any session~~
16 ~~of a general assembly shall be acted upon prior to~~
17 ~~adjournment of that session as provided by section 2.32~~
18 ~~of the Code.~~ Except as provided by this rule, upon
19 the adjournment of the first regular session and any
20 extraordinary session, each bill or resolution shall
21 be automatically referred back to the committee to
22 which it was originally assigned. The secretary of
23 the senate shall publish in the ~~Journal~~ journal a list
24 of the bills returned to committee under this rule and
25 shall present a list to the chairs of the respective
26 committees upon the convening of the second regular
27 session. Within seven days after the first committee
28 meeting after the convening of the second regular
29 session, ~~committees~~ committee chairs shall either
30 ~~authorize the chair to~~ refer such bills and resolutions



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.R. 1

1 that have been returned to their respective committees
2 under this rule to a subcommittee for consideration,
3 or indefinitely postpone further consideration of such
4 bills,~~or report them out to the floor and place them~~
5 ~~on the calendar. If the subcommittee is different~~
6 ~~than that appointed during the first session, the~~ The
7 committee chairs shall report to the senate the bill
8 or resolution number and the names of the subcommittee
9 members.

10 ~~Bills and resolutions which have been voted upon~~
11 ~~on final passage by either house in any session~~
12 ~~shall remain on the calendar in the same status as at~~
13 ~~the end of the session at any subsequent regular or~~
14 ~~extraordinary session.~~

15 Rule 5

16 Regular Order of Daily Business

17 The following order shall govern, subject to any
18 special order:

- 19 1. Correction of the journal.
- 20 2. Senators to be excused.
- 21 3. Communications to the Senate.
- 22 4. Introduction of bills and resolutions.
- 23 5. Consideration of senate calendar.

24 Rule 6

25 Senate Calendar

26 1. Each legislative day the secretary of the senate
27 shall prepare a listing of bills to be known as the
28 "Senate Calendar".

29 ~~2. The senate calendar may contain a listing under~~
30 ~~the category "Special Order" which shall be placed at~~



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.R. 1

~~1 the head of the calendar. Bills in such category shall~~
~~2 be those which are specifically set for debate by the~~
~~3 majority leader with the consent of the senate on a~~
~~4 certain date and time. Bills shall be listed by the~~
~~5 secretary in numerical order.~~

6 3 2. The senate calendar shall include separate
7 listings for any bills and resolutions in the following
8 categories:

- 9 a. Conference Committee Report
- 10 b. Bills in Conference Committee
- 11 c. House Amendment to Senate Amendment to House
- 12 File
- 13 d. House Refuses to Concur in Senate Amendment to
- 14 House File
- 15 e. Senate Files Amended by the House
- 16 f. Unfinished Business
- 17 g. Motions to Reconsider
- 18 h. Administrative Rules Nullification Resolutions
- 19 i. Veto Messages from the Governor

20 4 3. The secretary shall list bills and resolutions
21 in the above categories in numerical order. Upon
22 their first publication in the calendar, bills and
23 resolutions in the above categories may be called up
24 for debate at any time by the majority leader. Motions
25 to reconsider shall be called up as provided by Rule
26 24.

27 5 4. The senate calendar shall include a listing
28 of senate appropriations committee bills and bills
29 reported out by the senate appropriations committee.
30 The list shall be known as the "Appropriations



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.R. 1

1 Calendar". The secretary shall list the bills in
2 numerical order. Upon their first publication in the
3 calendar, bills on the appropriations calendar may be
4 called up for debate at any time by the majority leader
5 provided they are eligible under Rule 8.

6 6 5. The senate calendar shall include a listing
7 of bills which pertain to the levy, assessment or
8 collection of taxes sponsored by or initially assigned
9 to and reported out by the senate ways and means
10 committee. The list shall be known as the "Ways and
11 Means Calendar". The secretary shall list the bills in
12 numerical order. Upon their first publication in the
13 calendar, bills on the ways and means calendar may be
14 called up for debate at any time by the majority leader
15 provided they are eligible under Rule 8.

16 7 6. The senate calendar shall include a list of
17 bills and resolutions, known as the "Regular Calendar",
18 which shall consist of bills and resolutions reported
19 out by a senate committee. The bills and resolutions
20 ~~reported out each day~~ shall be listed in numerical
21 order. Priority shall be given to senate over house
22 bills and resolutions. Upon their first publication
23 in the calendar, bills on the regular calendar may
24 be called up for debate at any time by the majority
25 leader, provided they are eligible under Rule 8.

26 A bill reported out of committee which is
27 subsequently referred to the ways and means or
28 appropriations committee and then reported out of that
29 committee, shall be returned to the regular calendar in
30 numerical order.



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.R. 1

1 8 7. The senate calendar shall include a listing of
2 the governor's appointees to state boards, commissions,
3 and other offices requiring senate confirmation. This
4 listing shall be known as the "Confirmation Calendar".
5 Names on the confirmation calendar may be called up
6 for confirmation at any time by the majority leader
7 provided they are eligible under rule 59.

8 9 8. The majority leader, or in the absence of
9 the majority leader the assistant majority leaders,
10 may select from among the bills on the previous
11 legislative day's Senate calendar and from the bills
12 selected create a new listing which shall be known as
13 the "Tentative Debate Calendar". ~~The debate calendar~~
14 ~~shall list bills as the majority leader expects to take~~
15 ~~them up.~~ A bill or resolution on the tentative debate
16 calendar may be debated only when eligible under Rule
17 8.

18 ~~10. The majority leader, or in the absence of the~~
19 ~~majority leader the assistant majority leaders, may~~
20 ~~create a list of bills or resolutions about which~~
21 ~~no controversy is believed to exist which shall be~~
22 ~~known as the "Proposed Noncontroversial Calendar".~~
23 ~~Bills or resolutions included on this listing may be~~
24 ~~debated at any time upon being called up for debate~~
25 ~~by the majority leader. Any bill or resolution which~~
26 ~~appeared on the previous day's Senate calendar may be~~
27 ~~placed by any senator on the proposed noncontroversial~~
28 ~~calendar, which shall be published. Any bill or~~
29 ~~resolution on the proposed noncontroversial calendar~~
30 ~~shall be stricken from the list if any senator files~~



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.R. 1

1 ~~a written objection with the secretary of the senate~~
2 ~~on the first or second legislative day after it~~
3 ~~appears on the proposed noncontroversial calendar.~~
4 ~~Any bill stricken from the proposed noncontroversial~~
5 ~~calendar shall be returned to its former place on~~
6 ~~the Senate calendar. The secretary shall prepare the~~
7 ~~noncontroversial calendar which shall consist of all~~
8 ~~bills or resolutions on the proposed noncontroversial~~
9 ~~calendar to which no objection was received.~~
10 ~~11~~ 9. If the senate shall not be in session on a
11 day assigned in ~~paragraphs nine and ten~~ paragraph eight
12 for action upon a calendar, such assigned action ~~shall~~
13 may occur on the next succeeding legislative day.
14 ~~12~~ 10. On any bill called up for debate from any
15 calendar, debate may continue from day to day until
16 it is adopted, fails, or is postponed or deferred.
17 If further debate is postponed or deferred without a
18 time to continue being set, ~~except for bills on the~~
19 ~~debate calendar,~~ the bill shall be listed as unfinished
20 business. Bills which are returned to the committee of
21 first referral or to a different committee after being
22 considered by the senate and classified as unfinished
23 business shall be returned to the unfinished business
24 calendar by that committee when the bill is reported
25 out of committee. The unfinished business date on
26 the calendar shall be the date on which the bill was
27 returned to committee. ~~Bills on the debate calendar~~
28 ~~upon which further debate is postponed or deferred~~
29 ~~without a time to continue being set shall return to~~
30 ~~the regular calendar.~~



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.R. 1

1 Rule 7

2 Reserved.

3 Rule 8

4 When Eligible for Consideration

5 Bills, resolutions, and appointments shall be
6 eligible for consideration by the senate as follows:

7 1. An appointment by the governor which requires
8 senate confirmation shall be eligible on the second
9 legislative day it is printed in the senate calendar as
10 provided by Rule 59.

11 2. A house or individually sponsored bill or
12 resolution reported out by a committee shall be
13 eligible on the second legislative day it is printed in
14 the senate calendar.

15 3. A committee bill or resolution sponsored by
16 the appropriations committee shall be eligible on the
17 second legislative day it is printed in the senate
18 calendar.

19 4. Any committee bill or resolution, other than
20 a bill or resolution sponsored by the appropriations
21 committee, shall be eligible on the third legislative
22 day it is printed in the senate calendar.

23 5. A bill that has been reported out to the
24 senate calendar, referred to a different committee
25 and reported out by that committee is eligible for
26 consideration by the senate on the day it would have
27 been eligible under subsection 2, 3, or 4, whichever
28 is applicable, as if the bill had been printed in the
29 calendar after having been reported out by the first
30 committee.

LSB 2038SQ (3) 86

-8-

jh

8/49



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.R. 1

1 Rule 9

2 Debate and Decorum

3 Before addressing the senate, the senator shall
4 request recognition by depressing the "speak" device
5 and, when recognized, rise and respectfully address the
6 chair.

7 The senator shall confine all remarks to the
8 question under debate and shall avoid discussing
9 personalities or implication of improper motives. No
10 questions except by the senator recognized shall be
11 entertained after a senator is recognized to give final
12 remarks.

13 Rule 10

14 Point of Personal Privilege

15 A point of personal privilege shall only be
16 recognized when there is no motion pending or other
17 business being considered by the senate. Points of
18 personal privilege shall not be in order during the
19 time when appropriation subcommittees are scheduled
20 to meet. Senators speaking on a point of personal
21 privilege shall be limited to ten minutes.

22 Rule 11

23 Introduction and Presentation of Guests

24 Only former members of the senate and former and
25 present members of Congress shall be presented to
26 the senate, except that the president of the senate
27 may present a visitor whose presence is of special
28 significance to the senate. The ~~presence~~ introduction
29 of school groups accompanied by school officials shall
30 be announced by the president of the senate and shall



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.R. 1

1 be recorded in the journal upon written request of a
2 member of the senate. Senators may be recognized to
3 introduce guests in the galleries when there is no
4 motion pending or other business being considered by
5 the senate. Introductions shall be limited to one
6 minute.

7 Rule 12

8 Form and Withdrawal of Motions, Amendments and
9 Signatures

10 Motions need not be in writing unless required by
11 the president or by the senate. No motion requires
12 a second. Any amendment, motion (including a motion
13 to reconsider), or resolution may be withdrawn by the
14 mover if it has not been amended by the senate and if
15 no amendment is pending. All amendments to bills,
16 resolutions, and reports shall be in writing and filed
17 before being acted upon by the senate.

18 No amendment, resolution, bill, or conference
19 committee report shall be considered by the senate
20 without a copy of the amendment, resolution, bill, or
21 conference committee report being on the desks of the
22 entire membership of the senate prior to consideration.
23 However, after the fourteenth week of the first
24 session and the twelfth week of the second session,
25 amendments and senate resolutions may be considered by
26 the senate without a copy of the amendment or senate
27 resolution being on the desks of the entire membership
28 of the senate if a copy of the amendment or senate
29 resolution is made available to the entire membership
30 of the senate electronically. ~~Such~~ However, such

LSB 2038SQ (3) 86

-10- jh

10/49



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.R. 1

1 consideration shall be deferred until a copy of the
2 amendment or senate resolution is on the ~~desks of the~~
3 ~~entire membership of the senate upon the request of any~~
4 ~~senator~~ desk of any senator who so requests.

5 All amendments, reports, petitions or other
6 documents requiring a signature shall have the name
7 printed under the place for the signature. Once a
8 signature is affixed and the document containing the
9 signature filed with the recording clerk in the well,
10 that signature shall not be removed.

11 When an amendment to a main amendment is filed that
12 would negate the effect of the main amendment and
13 thereby leave the bill unchanged, the presiding officer
14 shall have the authority to declare the amendment to
15 the main amendment out of order, subject to an appeal
16 to the full senate.

17 When a house amendment to a senate file is before
18 the senate, an amendment to the house amendment shall
19 be considered an amendment in the first degree.

20 Regardless of its origin, an amendment in the third
21 degree shall be ruled out of order.

22 When a ruling on germaneness is issued by the
23 presiding officer, it shall be accompanied by an
24 explanation of the ruling.

25 Rule 13

26 Order and Precedence of Motions and Amendments

27 When a question is under debate, no motion shall
28 be received but to adjourn, to recess, questions
29 of privilege, to lay on the table, for the previous
30 question, to postpone to a day certain, to refer,



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.R. 1

1 to amend, to postpone indefinitely, to defer, or
2 incidental motions. A substitute is not in order
3 unless it is in the form of a motion to substitute.
4 Such motions shall have precedence in the order in
5 which they are named. No motion to postpone to a
6 day certain, to refer, or postpone indefinitely,
7 being decided, shall be again allowed on the same
8 day with regard to the same question. A motion to
9 strike out the enacting clause of a bill shall have
10 precedence over all amendments and, if carried, shall
11 be considered equivalent to the rejection of the bill.

12 A motion to strike everything after the enacting
13 clause has precedence over a committee amendment and
14 all other amendments except one to strike the enacting
15 clause. A committee amendment has precedence over all
16 other amendments except as provided in this rule.

17 A motion to rerefer a bill to committee may specify
18 when the committee shall report the bill to the senate.
19 If the motion is adopted in such form, the committee
20 must report the bill by the date and time specified
21 with or without recommendation or the bill shall
22 automatically be returned to the calendar. When the
23 bill is returned to the calendar, it shall occupy
24 the same position it occupied at the time the bill
25 was rereferred to the committee. If the committee
26 to which the bill is rereferred submits an amendment
27 in its report, that committee amendment shall take
28 precedence over other amendments except if that
29 committee amendment is in conflict with amendments
30 previously adopted, the committee amendment shall



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.R. 1

1 not be considered until consideration of motions to
2 reconsider the previously adopted amendments result
3 in removing the conflict. A committee may not file
4 an amendment to a bill unless the bill is in the
5 committee's possession.

6 Rule 14

7 Motions Before the Senate

8 Motions before the senate shall be displayed on the
9 electronic voting system display boards.

10 Rule 15

11 Nondebatable Motions

12 The following motions are not debatable:

13 Adjourn

14 Recess

15 Lift a Call of the Senate

16 Lay on Table or Take from Table

17 Previous Question

18 Reconsider vote by which bill was placed on last
19 reading.

20 A Motion to Reconsider and Lay the Motion to
21 Reconsider on the Table (Double-barreled Motion).

22 Rule 16

23 Division of the Question

24 Any senator may call for a division of a question,
25 which shall be divided if it includes propositions
26 so distinct that if one is taken away, a substantive
27 proposition shall remain in a technically proper form
28 for the decision of the senate. A motion to strike out
29 and insert is indivisible; but a motion to strike out,
30 if lost, shall not preclude amendments to the matter



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.R. 1

1 attempted to be stricken or a motion to strike out and
2 insert.

Rule 17

The Previous Question

3
4
5 The previous question shall be in this form: "Shall
6 debate be closed on the pending question?" A motion
7 for the previous question may be adopted by a majority
8 of the senators present and voting. Its effect shall
9 be to put an end to debate and bring the senate to a
10 direct vote upon the pending question. However, any
11 senator who has not previously spoken on the pending
12 question and who, after the main question is taken up
13 and before the motion for the previous question has
14 been made, requested recognition by depressing the
15 "speak" device may speak no longer than five minutes
16 on the pending question. If action on the pending
17 question continues into another legislative day or is
18 deferred, the previous question shall apply and the
19 requests to be recognized shall be honored.

20 When the motion applies to an amendment, the senator
21 proposing the amendment shall have five minutes to
22 close debate on the amendment.

23 The senator handling the measure under consideration
24 shall have ten minutes to close debate on the main
25 question.

Rule 18

Call of the Senate

26
27
28 Ten senators may file in writing a call of the
29 senate on any single item of legislative business.
30 A call of the senate requires the presence of every



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.R. 1

1 senator and is in order at any time prior to the vote
2 being announced by the president. The sergeant-at-arms
3 shall return promptly all absent senators. Debate
4 on the item may continue while absent senators are
5 returning, but no vote on the item is in order on it
6 until all have returned. Adoption of a motion to
7 recess or adjourn to a specific time will not lift
8 the call. The call may be lifted, or a senator may
9 be excused from the call without lifting the call, by
10 a vote of a constitutional majority of the senators.
11 Those senators excused prior to the filing of the call
12 are excused from the call.

13 Rule 19

14 Committee of the Whole

15 The senate may resolve itself into a committee of
16 the whole senate when it wishes to permit more free and
17 informal discussion. Persons other than senators may
18 appear and present information.

19 Any senator may move "that the senate now resolve
20 itself into a committee of the whole to consider" a
21 stated subject.

22 The president of the senate shall be chair of the
23 committee of the whole unless otherwise ordered by the
24 senate.

25 The procedure in committee of the whole is subject
26 to the rules of the senate. The previous question and
27 the motion to reconsider shall be in order.

28 The committee of the whole cannot take any final
29 action and its power is limited to recommendation to
30 the senate. The proceedings of the committee of the



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.R. 1

1 whole, including any roll call vote, shall be printed
2 in the journal.

3 Any senator may at any time, except while voting or
4 while a senator has the floor, move that "the committee
5 rise" which is equivalent to a motion to adjourn.

6 After adoption of the motion to rise, the chair
7 may report to the senate in the same manner as other
8 committee reports are given.

9 Rule 20

10 Last Reading and Passage of Bills

11 When a motion to place a bill on its last reading is
12 lost, the same motion shall be in order at any later
13 time. After the last reading of a bill, no amendment
14 shall be received. The vote on final passage shall be
15 taken immediately without debate.

16 Rule 21

17 Engrossment of Bills

18 An engrossment is a proofreading and verification
19 in order to be certain that a bill before the senate is
20 identical with the original bill as introduced with all
21 amendments which have been adopted correctly inserted.

22 In an engrossed bill, all obvious typographical,
23 spelling or other clerical errors are corrected and
24 section or paragraph numbers and internal references
25 are changed as required to conform the original bill
26 to any amendments which have been adopted. All such
27 corrections or changes shall be reported in the journal
28 by the secretary of the senate. The engrossed bill
29 shall be placed in the bill file with the original bill
30 and amendments.



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.R. 1

1 Rule 22

2 Manner of Voting

3 On voice vote, the question shall be distinctly put
4 in this form: "Those in favor of (the question) say
5 ~~"aye"~~ 'aye'." "Those opposed to (the question) say ~~"no"~~
6 'no'."

7 A non-record or record roll call vote may be
8 requested by any senator or ordered by the president
9 any time before the results are announced. A
10 non-record roll call shall be requested by asking for a
11 "division". A record roll call shall be requested by
12 asking for a "record". Upon request for a non-record
13 or record roll call vote, the president shall announce
14 that such a non-record or record roll call vote has
15 been requested and shall state the question to be put
16 to the senate. The president then shall direct the
17 secretary of the senate to receive the votes.

18 Senators present may cast their votes, either
19 by operating the voting mechanism located at their
20 assigned desk or by signaling the president if they are
21 unable to vote at their assigned desk. The president
22 shall enter the votes of senators signaling their
23 votes.

24 After sufficient time has elapsed for all senators
25 present to record their votes, the president shall
26 direct the secretary of the senate to close the voting
27 system. The president shall still enter the senators'
28 votes at any time prior to directing the secretary of
29 the senate to lock the voting system. The president
30 shall then immediately announce the vote.

LSB 2038SQ (3) 86

-17- jh

17/49



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.R. 1

1 During a record roll call vote, both individual
2 votes and vote totals shall be indicated on the display
3 boards and printed in the journal. On non-record
4 roll calls, only vote totals shall be indicated on the
5 display boards and printed in the journal.

6 In the event the electronic voting system is not
7 in operating order, the president shall direct the
8 secretary of the senate to take the non-record or
9 record roll call by calling the names of the senators
10 in alphabetical order.

11 Rule 23

12 Duty of Voting

13 Every senator present when a question is put shall
14 vote "aye", "no", or "present" unless previously
15 excused by the senate. Upon demand being made by any
16 senator, the secretary of the senate shall call in
17 alphabetical order the names of the senators not voting
18 or voting "present". Those senators called shall vote
19 "aye" or "no" unless the senator states a personal
20 interest in the question or concludes that he or she
21 should not vote under the senate code of ethics.

22 Rule 24

23 Reconsideration

24 When a main motion has been decided by the senate,
25 any senator having voted on the prevailing side
26 may move to reconsider the vote on the same or next
27 legislative day. Motions to reconsider the vote on a
28 bill or resolution shall be in writing and filed with
29 the secretary of the senate.

30 Notwithstanding any time limitations applicable



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.R. 1

1 to motions to reconsider main motions, a motion to
2 reconsider the vote on an amendment may be made at
3 any time before final disposition of the motion to
4 be amended. Such motion shall be in writing and
5 filed with the secretary of the senate. A motion to
6 reconsider an amendment to a main motion shall be taken
7 up for consideration only prior to the disposition of
8 the main motion or upon reconsideration of the main
9 motion.

10 A constitutional majority by a record roll call is
11 necessary to reconsider a bill or joint resolution.
12 During three legislative days from the date the motion
13 to reconsider a bill or resolution is filed, only the
14 mover may call it up. Thereafter, any senator may call
15 up the motion. If a date for adjournment has been set
16 by resolution of the senate, any senator may call up
17 a motion to reconsider at any time within three days
18 prior to the date set for adjournment.

19 If the motion to reconsider a bill or resolution
20 prevails, motions to reconsider amendments thereto
21 shall be in order and shall be disposed of without
22 delay.

23 A motion that any action taken by the senate be
24 reconsidered and the motion to reconsider be laid upon
25 the table shall be a single and indivisible motion,
26 known as the double-barreled motion, which, if carried,
27 shall have the effect of preventing reconsideration
28 unless a motion to take from the table prevails.
29 A constitutional majority is necessary for the
30 double-barreled motion to prevail on a bill or joint



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.R. 1

1 resolution. The double-barreled motion can only be
2 made from the floor after the vote is announced and the
3 member who moved the final reading shall have priority
4 in making it.

5 A motion to reconsider and lay on the table shall
6 have priority over a motion to reconsider if they are
7 both filed on the same legislative day.

8 In the event that a motion to reconsider is pending
9 at the end of the first session or any extraordinary
10 session of any general assembly, or the general
11 assembly adjourns sine die, and the motion has not been
12 voted upon by the senate, it shall be determined to
13 have failed.

Rule 25

Suspension of Rules

14 No standing rule, rules incorporated by reference
15 under Rule 3, or order of the senate shall be rescinded
16 or suspended, except by unanimous consent of the senate
17 or by an affirmative vote of a constitutional majority
18 of the senate voting on a simple resolution.

INTRODUCTION AND FORM OF BILLS

Rule 26

22 Time and Method of Introducing Bills and Amendments
23 All bills to be introduced in the senate shall be
24 typed in proper form by the legislative services agency
25 and shall be filed with the recording clerk.
26 All amendments shall be typed in proper form and
27 filed with the recording clerk not later than 4:30
28 p.m., or adjournment, whichever is later, in order to
29 be listed in the following day's clip sheet.
30



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.R. 1

1 An "impact amendment" is an amendment which
2 reasonably could have an annual effect of at least one
3 hundred thousand dollars or a combined total effect
4 within five years after enactment of five hundred
5 thousand dollars or more on the aggregate revenues,
6 expenditures or fiscal liability of the state or its
7 subdivisions.

8 An impact amendment to a bill which has been on
9 the calendar for at least three full legislative days
10 prior to its consideration shall not be taken up by the
11 senate unless:

12 1) a fiscal note is attached, and the amendment is
13 filed at least one legislative day prior to the date
14 set for consideration of the bill; or

15 2) the amendment is an appropriation or other
16 measure where the total effect is stated in dollar
17 amounts.

Rule 27

Limit on Introduction of Bills

19 No bill or joint resolution, except bills and
20 joint resolutions cosponsored by the majority and
21 minority floor leaders, or companion bills and joint
22 resolutions sponsored by the majority floor leaders of
23 both houses, shall be introduced in the senate after
24 4:30 p.m. on Friday of the ~~fifth~~ fourth week of the
25 first regular session of a general assembly unless a
26 formal request for drafting the bill has been filed
27 with the legislative services agency before that time.
28 After adjournment of the first regular session, bills
29 may be prefiled at any time before the convening of the
30



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.R. 1

1 second regular session. No bill shall be introduced
2 after 4:30 p.m. on Friday of the second week of the
3 second regular session of a general assembly unless a
4 formal request for drafting the bill has been filed
5 with the legislative services agency before that time.
6 However, standing committees may introduce bills and
7 joint resolutions at any time. A bill which relates
8 to departmental rules sponsored by the administrative
9 rules review committee and approved by a majority
10 of the members of the committee in each house may
11 be introduced at any time and must be referred to a
12 standing committee which must take action on the bill
13 within three weeks. Senate and concurrent resolutions
14 may be introduced at any time.

15 No bill, joint resolution, concurrent resolution
16 or senate resolution shall be introduced at any
17 extraordinary session unless sponsored by a standing
18 committee, the majority and minority floor leaders, or
19 the committee of the whole.

20 Rule 28

21 Introduction, Reading, and Form of Bills and
22 Resolutions

23 Every senate bill and resolution shall be introduced
24 by one or more senators or by any standing committee
25 of the senate and shall at once be given its first
26 reading.

27 If the senate is in session when a bill or
28 resolution is introduced, the first reading shall
29 consist of reading its file number, the title and
30 sponsor of the bill. If the senate is not in session



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.R. 1

1 but a journal is published for the day, the first
2 reading shall consist of a journal entry of the bill's
3 file number, title, sponsor and the notation "Read
4 first time under Rule 28".

5 Any bill or resolution approved for introduction by
6 a standing committee during an interim period between
7 sessions of one General Assembly shall be introduced
8 without further action by the committee at the next
9 succeeding regular session of the same General Assembly
10 and placed immediately upon the regular calendar.

11 Every bill and resolution referred to committee
12 shall have received two readings before its passage.

13 The subject of every bill shall be expressed in its
14 title.

Rule 29

Explanations

17 No bill, except appropriation committee bills and
18 simple or concurrent resolutions, shall be introduced
19 unless a concise and accurate explanation is attached.
20 The chief sponsor or a committee to which the bill has
21 been referred may add a revised explanation at any time
22 before the last reading, and it shall be included in
23 the daily clip sheet.

Rule 30

Resolutions

26 A "senate resolution" is a resolution acted upon
27 only by the senate which relates to an accomplishment
28 of national or international status; the dedication
29 of a day by a statewide or national group; the
30 one hundredth, one hundred twenty-fifth, or one



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.R. 1

1 hundred fiftieth anniversary of a local government
2 or organization; the recognition of state ties to
3 other governments; the retirement of a senator
4 or long-time senate employee; or to rules and
5 administrative matters, including the appointment
6 of special committees, within the senate. A senate
7 resolution requires the affirmative vote of a majority
8 of the senators present and voting, unless otherwise
9 required in these rules. A senate resolution shall
10 be filed with the secretary of the senate. A senate
11 resolution shall be printed in the bound journal after
12 its adoption and in the daily journal upon written
13 request to the secretary of the senate by the sponsor
14 of the resolution. Other expressions of sentiment
15 or recognition may be made with the issuance of a
16 certificate of recognition.

17 Rule 31

18 Nullification Resolutions

19 A nullification resolution may be introduced
20 by a standing committee, the administrative rules
21 review committee, or any member of the senate.

22 A nullification resolution introduced by the
23 administrative rules review committee or a member
24 of the senate shall be referred to the same standing
25 committee it would be referred to if it was a bill.

26 Any nullification resolution may be referred to the
27 administrative rules review committee by a majority
28 vote of the standing committee which introduced it
29 or to which it was referred. The administrative
30 rules review committee may seek an agreement with the



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.R. 1

1 affected administrative agency wherein the agency
2 agrees to voluntarily rescind or modify a rule or rules
3 relating to the subject matter of the nullification
4 resolution. An agreement to voluntarily rescind
5 or modify an administrative agency rule shall be in
6 writing and signed by the chief administrative officer
7 of the administrative agency and a majority of the
8 administrative rules review committee members of each
9 house and shall be placed on file in the offices of
10 the chief clerk of the house, the secretary of the
11 senate and the secretary of state. If an agreement is
12 not reached, or the nullification resolution is not
13 approved by a majority of the administrative rules
14 review committee members of each house, within two
15 weeks of the date the resolution is referred to the
16 administrative rules review committee, the resolution
17 shall be placed on the calendar. If the nullification
18 resolution is approved by the administrative rules
19 review committee it shall be placed on the calendar.
20 A nullification resolution is subject to a motion to
21 withdraw the nullification resolution as provided in
22 rule 42.

23 A nullification resolution is debatable, but cannot
24 be amended on the floor of the senate.

25 Rule 32

26 Resolutions, Applicable Rules

27 All rules applicable to bills shall apply to
28 resolutions, except as otherwise provided in the rules.

29 Rule 33

30 Study Bills



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.R. 1

1 1. A study bill is any matter which a senator
2 wishes to have considered by a standing committee or
3 appropriations subcommittee for introduction as a
4 committee bill or resolution. The term "study bill"
5 includes "proposed bills" provided for in Rule 37 and
6 departmental requests prefiled in the manner specified
7 in section 2.16 of the Code.

8 2. A study bill shall bear the name of the member
9 who wishes to have the bill considered. A study bill
10 proposed by a state agency shall bear the name of the
11 agency. A committee chair may submit a study bill in
12 the name of that committee.

13 3. Upon first receiving a study bill from a
14 senator, a committee chairperson shall submit three
15 copies to the secretary of the senate. Study bills
16 received in the secretary of the senate's office before
17 3:00 p.m. shall be filed, numbered, and reported in
18 the journal for that day. Study bills received in the
19 secretary of the senate's office after 3:00 p.m. shall
20 be filed, numbered, and reported in the journal for the
21 subsequent day. The secretary shall number such bills
22 in consecutive order. The secretary shall maintain a
23 record of all study bills and their assigned number.
24 Committee records shall refer to study bills by the
25 number assigned by the secretary.

26 4. The secretary shall file a report in the journal
27 of each study bill received. The report shall show
28 the study bill number, its title or subject matter
29 and the committee which is considering it. If a study
30 bill is referred to a subcommittee, then the committee



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.R. 1

1 chairperson shall report in the journal the names of
2 the subcommittee members to which it is assigned.

3 ~~5. If a committee bill or resolution is introduced~~
4 ~~which was not previously the subject of a study bill~~
5 ~~in the sponsoring committee, the majority leader may~~
6 ~~re-refer the bill back to the committee.~~

7 6 5. A study bill not prepared by the legislative
8 services agency may be submitted to a standing
9 committee, but shall not be considered by the full
10 committee unless reviewed and typed in proper form by
11 the legislative services agency.

12 COMMITTEES AND COMMITMENT

13 Rule 34

14 Committee Appointments

15 Committee appointments shall be made by the majority
16 leader for majority party members, after consultation
17 with the president, and by the minority leader for
18 minority party members, after consultation with the
19 president. No senator shall serve on more than six
20 standing committees. The majority leader, after
21 consultation with the president, shall designate the
22 chairperson and vice-chairperson of each standing
23 committee. The minority leader, after consultation
24 with the president, shall designate the ranking member
25 of each standing committee from the minority membership
26 of that committee.

27 Rule 35

28 Standing Committees

29 The names of the standing committees of the senate
30 shall be:



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.R. 1

1 Agriculture
2 Appropriations
3 Commerce
4 Economic Growth
5 Education
6 Government Oversight
7 Human Resources
8 Judiciary
9 Labor and Business Relations
10 Local Government
11 Natural Resources and Environment
12 Rules and Administration
13 State Government
14 Transportation
15 Veterans Affairs
16 Ways and Means

17 Rule 36

18 Committee on Rules and Administration
19 The committee on rules and administration shall
20 recommend rules and rule changes to the senate, shall
21 hire senate employees, shall recommend salary scales
22 for all senate employees, and shall oversee senate
23 budget and administration matters.
24 The committee on rules and administration will
25 select, for senate approval, an individual to serve as
26 secretary of the senate.
27 The committee shall have the following standing
28 subcommittees:
29 1. Joint Rules
30 2. Senate Rules



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.R. 1

1 3. Administrative Services

2 4. Caucus Services

3 The majority leader shall serve as chair of the
4 rules and administration committee and as chair of
5 the standing subcommittee on caucus services. The
6 president of the senate shall serve as vice-chair of
7 the rules and administration committee, and as chair of
8 the subcommittee on administrative services.

9 Rule 37

10 Appropriations Committee

11 The appropriations committee shall receive bills
12 committed to it and shall assign each to one of the
13 appropriations subcommittees.

14 The appropriations subcommittees shall be named:

15 Administration and Regulation

16 Agriculture and Natural Resources

17 Economic Development

18 Education

19 Health and Human Services

20 Justice System

21 Transportation, Infrastructure, and Capitals

22 The appropriations subcommittees shall receive
23 bills assigned to them or may originate proposed bills
24 within the subcommittee's jurisdiction as defined by
25 the appropriations committee for consideration by the
26 appropriations committee. Each subcommittee may submit
27 amendments to bills together with the subcommittee's
28 recommended action to the appropriations committee.

29 If a bill or proposed bill is submitted to the
30 appropriations committee by an appropriations



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.R. 1

1 subcommittee the appropriations committee may:

2 1. report the bill or approve the proposed bill for
3 introduction by the appropriations committee;

4 2. report the bill with any appropriations
5 committee-approved amendments incorporated;

6 3. draft a new bill for sponsorship by the
7 appropriations committee and report it; or

8 4. re-refer it together with the appropriations
9 committee's objections to the appropriations
10 subcommittee from which it was originally referred or
11 which originated the draft bill.

12 The appropriations committee and subcommittees may
13 meet jointly with the appropriations committee of the
14 house of representatives.

15 Rule 38

16 First Reading and Commitment

17 Upon the first reading of an individual bill or
18 resolution, or a house committee bill or resolution,
19 the president shall refer the bill or resolution to
20 an appropriate standing committee. If the bill or
21 resolution is a senate committee bill or resolution,
22 the president shall place it on the calendar after
23 its first reading. If the subject of the bill or
24 resolution is not germane to the title of the committee
25 presenting it, the president of the senate may refer it
26 to a committee deemed appropriate.

27 All bills carrying an appropriation for any purpose
28 or involving the expenditure of state funds shall be
29 referred to the committee on appropriations.

30 All bills pertaining to the levy, assessment or



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.R. 1

1 collection of taxes or fees shall be referred to the
2 committee on ways and means.

3 Any bill which provides for a new state board,
4 commission, agency or department or makes separate or
5 autonomous an existing state board, commission, agency
6 or department, shall be referred to the committee
7 on state government. If the bill or resolution is
8 so referred after being sponsored or reported out
9 by another committee, and if the committee on state
10 government does not report out the bill or resolution
11 within ten legislative days after referral, the bill
12 or resolution shall automatically be restored to the
13 calendar with the same priority it had immediately
14 before referral.

15 This rule shall also apply when such provisions are
16 added to a bill or resolution by amendment adopted by
17 the senate.

Rule 39

Rules for Standing Committees

18
19 The following rules shall govern all standing
20 committees of the senate. Any committee may adopt
21 additional rules which are consistent with these rules:

22 1. A majority of the members shall constitute a
23 quorum.

24 2. The chair of a committee shall refer each bill
25 and resolution to a subcommittee within seven days
26 after the bill or resolution has been referred to
27 the committee. The chair may appoint subcommittees
28 for study of bills and resolutions without calling a
29 meeting of the committee, but the subcommittee must
30



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.R. 1

1 be announced at the next meeting of the committee. No
2 bill or resolution shall be reported out of a committee
3 until the next meeting after the subcommittee is
4 announced, except that the chair of the appropriations
5 committee may make the announcement of the assignment
6 to a subcommittee by placing a notice in the journal.
7 Any bill so assigned by the appropriations committee
8 chair shall be eligible for consideration by the
9 committee upon report of the subcommittee but not
10 sooner than three legislative days following the
11 publication of the announcement in the journal.

12 When a bill or resolution has been assigned to a
13 subcommittee, the chair shall report to the senate
14 the bill or resolution number and the names of the
15 subcommittee members and such reports shall be reported
16 in the journal. Subcommittee assignments shall be
17 reported to the journal daily. Reports filed before
18 3:00 p.m. shall be printed in the journal for that
19 day; reports filed after 3:00 p.m. shall be printed in
20 the journal for the subsequent day.

21 Where standing subcommittees of any committee have
22 been named, the names of the members and the title of
23 the subcommittee shall be published once and thereafter
24 publication of assignments may be made by indicating
25 the title of the subcommittee.

26 3. No bill or resolution shall be considered by a
27 committee until it has been referred to a subcommittee
28 and the subcommittee has made its report unless
29 otherwise ordered by a majority of the members.

30 4. The rules adopted by a committee, including



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.R. 1

1 subsections 2, 3, 9, 10, 11, and 12 of this rule, may
2 be suspended by an affirmative vote of a majority of
3 the members of the committee.

4 5. The affirmative vote of a majority of the
5 members of a committee is needed to sponsor a committee
6 bill or resolution or to report a bill or resolution
7 out for passage.

8 6. The vote on all bills and resolutions shall be
9 by roll call unless a short-form vote is unanimously
10 agreed to by the committee. A record shall be kept by
11 the secretary.

12 7. No committee, except a conference committee, is
13 authorized to meet when the senate is in session.

14 8. A subcommittee shall not report a bill to the
15 committee unless the bill has been typed into proper
16 form by the legislative services agency.

17 9. A bill or resolution shall not be voted upon the
18 same day a public hearing called under subsection 10 is
19 held on that bill or resolution.

20 10. Public hearings may be called at the discretion
21 of the chair. The chair shall call a public hearing
22 upon the written request of one-half the membership of
23 the committee. The chair shall set the time and place
24 of the public hearing.

25 11. A subcommittee chair must notify the committee
26 chair not later than one legislative day prior to
27 bringing the bill or resolution before the committee.
28 The committee cannot vote on a bill or resolution for
29 at least one full day following the receipt of the
30 subcommittee report by the chairperson.



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.R. 1

1 12. A motion proposing action on a bill or
2 resolution that has been defeated by a committee shall
3 not be voted upon again at the same meeting of the
4 committee.

5 13. Committee meetings shall be open.

6 Rule 40

7 Voting in Committee

8 All committee meetings shall be open at all times.
9 Voting by secret ballot is prohibited. Roll call votes
10 shall be taken in each committee when final action on
11 any bill or resolution is voted, unless a short-form
12 vote is unanimously agreed to by the committee. A roll
13 call vote also shall be taken in each committee at the
14 request of a member upon any amendment or motion. All
15 results shall be entered in the minutes which shall be
16 public records. Records of these votes shall be made
17 available by the chair or the committee secretary at
18 any time. This rule also applies to the appropriations
19 subcommittees.

20 The committee shall not authorize the introduction
21 of a committee bill or resolution until the members
22 have received final copies of the bill or resolution
23 with amendments or changes incorporated, and typed
24 into proper form by the legislative services agency.
25 The committee may, by unanimous consent, dispense with
26 this requirement and instruct the legislative services
27 agency to file a report with the committee members
28 detailing the amendments or changes and this report
29 shall become a part of the committee report.

30 Rule 41



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.R. 1

1 Announcement of Committee Meetings

2 It shall be in order for the chair of any committee
3 to announce to the senate the time and place of
4 committee meetings. The announcement shall include a
5 proposed agenda for the meeting. The sergeant-at-arms
6 shall post at the rear of the chamber the daily
7 schedule of committee meetings.

8 Rule 42

9 Withdrawal of Bills and Resolutions from Committee

10 The secretary of the senate shall note on each bill
11 and resolution the date of its reference to committee.
12 No bill or resolution shall be withdrawn from any
13 committee within fifteen legislative days after the
14 bill or resolution has been referred to the committee
15 and thereafter only upon written petition for the
16 withdrawal of such bill or resolution signed by a
17 constitutional majority of the senators, except as
18 provided in Rule 38. Only senators may circulate such
19 a petition.

20 Rule 43

21 Committee Reports

22 All committees shall file a report of committee
23 meetings. Such reports shall contain the following
24 information:

- 25 a. The time the meeting convened;
26 b. Those senators who were present and absent at
27 the time the meeting convened, as well as the time any
28 senator, who was not present at the time the meeting
29 convened, arrives for the meeting;
30 c. The vote on any bill or resolution reported out



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.R. 1

- 1 of the committee for floor action;
2 d. The title of the bill;
3 e. The file number of the bill or resolution (if
4 known);
5 f. Whether the committee recommends that the
6 bill or resolution be passed, amended and passed,
7 indefinitely postponed, or considered without committee
8 recommendation;
9 g. An indication of other bills or matters
10 discussed;
11 h. Such other matters as the committee chair shall
12 direct; and
13 i. The time the meeting adjourned.
14 No committee report shall be read, but all committee
15 reports shall be printed in the journal. Upon
16 printing, all committee reports shall then stand
17 approved unless the senate directs otherwise.

Rule 44

Bills or Resolutions Recommended for Indefinite

Postponement

21 No senate bill or resolution recommended for
22 indefinite postponement shall be considered in the
23 absence of the chief sponsor or, if a house bill or
24 resolution, in the absence of the senator representing
25 the district in which the sponsor resides. When a
26 question is postponed indefinitely, it shall not be
27 again acted upon during that session of the general
28 assembly.

GENERAL RULES

Rule 45



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.R. 1

1 Access to Senate Chamber and Decorum

2 The persons who shall have access to the senate
3 chamber, and the times access shall be available, and
4 the rules governing activities in the chamber and other
5 areas controlled by the senate shall be as prescribed
6 by the rules and administration committee pursuant to a
7 written policy adopted by the committee and filed with
8 the secretary of the senate.

9 Rule 46

10 Legislative Interns and Aides

11 Legislative interns for senators shall be allowed
12 on the floor of the senate in accordance with Rule 45;
13 provided that each intern first has obtained a name
14 badge from the secretary of the senate. The secretary
15 of the senate shall issue an appropriate badge to all
16 interns for senators.

17 Rule 47

18 Clearing of Lobby and Gallery

19 In case of disturbance or disorderly conduct in the
20 lobby or gallery, the presiding officer may order it
21 cleared.

22 Rule 48

23 Presentation of Petitions

24 Each petition shall contain a brief statement of its
25 subject matter and the name of the senator presenting
26 it. Petitions shall be filed with the secretary of the
27 senate and noted in the journal.

28 Rule 49

29 Distribution of Printed Material

30 No general distribution of printed material in



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.R. 1

1 the senate shall be allowed unless authorized by the
2 secretary of the senate or by a senator.

3 Rule 50

4 Concerning the Printing of Papers

5 Any paper, other than that contemplated by Section
6 10, Article III of the Constitution of the State of
7 Iowa, presented to the senate may, with the consent of
8 a constitutional majority, be printed in the journal.

9 Rule 51

10 Reprinting of Documents

11 When any bill has been substantially amended by the
12 senate, the secretary of the senate shall order the
13 bill reprinted on paper of a different color. All
14 adopted amendments inserting new material shall be
15 distinguishable.

16 The secretary of the senate may order the printing
17 of a reasonable number of additional copies of bills,
18 resolutions, amendments or journals.

19 OFFICERS AND EMPLOYEES

20 Rule 52

21 Duties of the President

22 The senate shall elect, from its membership, a
23 president. The president shall call the senate to
24 order at the hour to which the senate is adjourned and
25 shall proceed with the regular order of daily business.
26 The president shall preserve order and decorum and
27 decide all questions of order and corrections to the
28 journal. The president shall direct voting as provided
29 in rule 22. When a ruling on germaneness is issued by
30 the presiding officer, it shall be accompanied by an



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.R. 1

1 explanation of the ruling. The president of the senate
2 shall be the chair of the committee of the whole unless
3 otherwise ordered by the senate, under rule 19.

4 Upon the first reading of an individual bill or
5 resolution, or a house committee bill or resolution,
6 the president shall refer the bill or resolution to
7 the appropriate standing committee. If the bill or
8 resolution is a senate committee bill or resolution,
9 the president shall place it on the calendar after
10 its first reading. If the subject of the bill or
11 resolution is not germane to the title of the committee
12 presenting it, the president of the senate may refer it
13 to the appropriate committee.

14 The president shall sign legislative enactments upon
15 their enrolling.

16 The president of the senate shall serve as a member
17 of the legislative council and the senate rules and
18 administration committee. The president shall serve
19 on the rules and administration committee as chair of
20 the standing subcommittee designated to supervise the
21 secretary of the senate and other employees of the
22 administrative services division of the senate.

23 Rule 53

24 The President Pro Tempore

25 The senate shall elect, from its membership, a
26 president pro tempore. When the president is absent,
27 the president pro tempore shall preside, except when
28 the chair is filled by temporary appointment by the
29 president or the majority leader.

30 The president pro tempore, when presiding, shall



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.R. 1

1 perform duties as prescribed in rule 52, paragraphs 1
2 and 2.

3 The president pro tempore shall serve as a member of
4 the legislative council and as a member of the senate
5 committee on rules and administration.

6 Rule 54

7 Secretary of the Senate

8 The secretary of the senate shall be a nonpartisan
9 officer of the senate and shall:

10 1. Serve as chief administrative officer of the
11 senate.

12 2. Have charge of the secretary's desk.

13 3. Be responsible for the custody and safekeeping
14 of all bills, resolutions, and amendments filed, except
15 while they are in the custody of a committee.

16 4. Have charge of the daily journal.

17 5. Have control of all rooms assigned for the use
18 of the senate.

19 6. Keep a detailed record of senate action on all
20 bills and resolutions.

21 7. Insert adopted amendments into bills before
22 transmittal to the house of representatives and prior
23 to final enrollment.

24 8. Prescribe the duties of and supervise all senate
25 employees.

26 9. Authorize all expenditures of funds within the
27 senate budget.

28 10. The secretary of the senate shall also act as
29 senate parliamentarian and shall:

30 ± a. Advise the presiding officer of the senate



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.R. 1

1 about parliamentary procedures during deliberations of
2 the senate.

3 2 b. Perform other duties as prescribed by the
4 committee on rules and administration.

5 3 c. Process the handling of amendments when filed
6 and during the floor consideration of bills.

Rule 55

Legal Counsel

7 The legal counsel shall be the secretary of the
8 senate or a contractual employee of the senate and
9 shall:

10 1. Serve as attorney and counselor for the senate.

11 2. At the request of the majority or minority
12 leaders, research any legal issue in which the senate
13 has an interest. However, the legal counsel shall not
14 issue nor venture any opinions on unresolved questions
15 of law unless permitted by both the majority and
16 minority leaders.

Rule 56

Sergeant-at-Arms

17 The sergeant-at-arms shall be an employee of the
18 senate and shall:

19 1. Wear the appropriate badge of his or her office.

20 2. Attend the senate during its sessions.

21 3. Aid in the enforcement of order under the
22 direction of the president of the senate and the
23 secretary of the senate.

24 4. Execute the commands of the senate.

25 5. See that no unauthorized person disturbs the
26 contents of the senators' desks.



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.R. 1

1 6. Supervise the doorkeepers, the assistant
2 sergeant-at-arms, and pages.

3 7. Announce all delegations from the governor or
4 house.

5 8. Supervise the seating of visitors and press
6 representatives.

7 Rule 57

8 Senate Secretaries

9 Every senator shall be permitted to employ for each
10 session of a general assembly a personally selected
11 secretary.

12 Rule 58

13 Use of Electronic Voting System

14 Any officer or employee of the senate, other than
15 a duly elected member of the senate, who operates the
16 electronic voting machine mechanism located at the
17 desk of said member of the senate shall be subject to
18 immediate termination from employment. The provisions
19 of this paragraph ~~only~~ shall not apply ~~during the~~
20 ~~taking of a record or non-record roll call vote~~
21 ~~utilizing to the use of the page bell or to testing of~~
22 the electronic voting system.

23 CONFIRMATION OF APPOINTMENTS

24 Rule 59

25 Appointments

26 The secretary of the senate shall:

27 a. send, to each appointee submitted by the
28 governor for senate confirmation, a copy of a
29 senate questionnaire as approved by the rules and
30 administration committee;



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.R. 1

1 b. receive completed questionnaires from appointees
2 and forward copies of the completed questionnaires to
3 appropriate committee members;

4 c. maintain "Confirmation Calendar" categories
5 on the senate calendar as directed under this rule,
6 senate rule 6, and by the committee on rules and
7 administration. No appointee shall be listed as
8 eligible on the confirmation calendar until the
9 secretary has received the appointee's completed senate
10 questionnaire.

11 As soon as possible after the convening of a
12 session, and again within one week following March
13 1, the secretary of the senate shall publish in the
14 senate journal the names of all nominees submitted
15 for confirmation. The secretary of the senate shall
16 maintain a file of all appointments received from the
17 governor for confirmation. The file shall contain
18 a description of the duties and the compensation
19 for each nominee. The file shall show the date an
20 appointment was received from the governor, the date
21 the appointment was published in the journal, whether
22 the nominee has been introduced, whether a committee
23 report has been filed, when the senate questionnaire
24 was sent to the appointee, and shall include a copy of
25 the appointee's completed senate questionnaire, upon
26 receipt.

27 INVESTIGATING COMMITTEES. All appointments received
28 from the governor shall be referred to the rules
29 and administration committee by the secretary of
30 the senate on the same day they are published in



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.R. 1

1 the senate journal. The rules and administration
2 committee shall establish an en bloc confirmation
3 calendar which must be filed with the secretary of
4 the senate. Within three (3) legislative days after
5 receiving an appointment, the committee shall either
6 place a nominee on the en bloc confirmation calendar
7 or assign the nominee to an appropriate standing
8 committee for further investigation, publishing notice
9 of such assignment in the senate journal for the next
10 legislative day. If the rules and administration
11 committee fails to take action on a nominee within the
12 three days, the nominee shall automatically be placed
13 on the en bloc confirmation calendar.

14 Within the three (3) legislative days after an
15 appointment has been referred to the rules and
16 administration committee, any ten senators may
17 require that the nominee be assigned to an appropriate
18 standing committee by filing a written, signed
19 request therefor with the chairperson of the rules and
20 administration committee. The committee chair shall
21 refer the appointment to a subcommittee within one (1)
22 legislative day after a standing committee receives
23 an appointment for further investigation, publishing
24 notice of such assignment in the senate journal for the
25 next legislative day. Within ten (10) legislative days
26 after a standing committee receives an appointment for
27 further investigation the subcommittee shall file its
28 report with the standing committee.

29 Within fourteen (14) legislative days after a
30 standing committee receives an appointment for

LSB 2038SQ (3) 86

-44- jh

44/49



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.R. 1

1 further investigation, the committee shall conduct
2 an investigation of the nominee and file its report
3 thereon with the secretary of the senate, who shall
4 then place the nominee on the en bloc calendar or
5 individual confirmation calendar as directed by
6 the committee. The failure of a committee to file
7 its report within the prescribed time means that
8 the nominee is to be automatically placed, without
9 recommendation, upon the individual confirmation
10 calendar.

11 Any individual nominated to head a department or
12 agency of state government, whose appointment is
13 subject to senate confirmation, must be introduced
14 to the full senate prior to a vote on confirmation
15 of the nominee. Additionally, any five (5) senators
16 may request that any nominee be introduced to the
17 senate by filing a written request with the secretary
18 of the senate within ten (10) legislative days of
19 the nominee's name appearing in the journal. Any
20 individual nominated to a position requiring senate
21 confirmation may request to be introduced to the
22 full senate by notifying the secretary of the senate
23 at least one (1) legislative day in advance of the
24 nominee's appearance. If an individual is nominated
25 both to fill a vacancy for an unexpired term and is
26 also nominated for reappointment to that position
27 during the same session, a single introduction is
28 sufficient for eligibility for confirmation to both
29 terms.

30 HEARINGS. Any member of a committee investigating



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.R. 1

1 an appointment may, within five (5) legislative days
2 after the committee receives the appointment, obtain
3 a hearing with the nominee by filing a written request
4 with the secretary of the senate who shall forward it
5 to the chair of the standing committee and the chair
6 of the subcommittee. Notice of the hearing shall be
7 published in the journal at least two (2) legislative
8 days prior to the hearing. At the hearing, which
9 shall be before the subcommittee, the nominee may be
10 questioned as to his or her qualifications to fulfill
11 the office to which nominated and further questioned
12 as to his or her viewpoints on issues facing the office
13 to which nominated. Any senator may at the discretion
14 of the chair of the subcommittee be permitted to submit
15 oral questions. The public may, at the discretion of
16 the investigating committee, be permitted to submit
17 oral or written statements as to the qualifications of
18 the nominee.

19 Also, within five (5) legislative days after the
20 subcommittee receives an appointment for investigation,
21 any senator may submit written questions to be answered
22 by the nominee prior to consideration of the nominee's
23 confirmation by the senate.

24 INFORMATIONAL MEETINGS. After a nominee has been
25 placed on the calendar and prior to the vote on
26 confirmation, any senator may request an informational
27 meeting on the nomination which shall be held before
28 the subcommittee.

29 VOTING ON CONFIRMATIONS. Appointments received from
30 the governor for senate confirmation during any session



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.R. 1

1 of a general assembly shall be acted upon prior to
2 adjournment of that session as provided by section 2.32
3 of the Code. Upon the motion of the majority leader
4 or his or her designee, the nominees on the en bloc
5 confirmation calendar shall be confirmed en bloc by the
6 affirmative vote of two-thirds of the members elected
7 to the senate. The journal shall reflect a single roll
8 call accompanied by a statement of the names of those
9 individuals subject to the en bloc confirmation vote.

10 Prior to an en bloc vote, any senator may request,
11 either in writing or from the floor, an individual vote
12 on any nominee on the en bloc confirmation calendar.
13 The senate shall vote separately on the nominee.

14 Nominees on the individual confirmation calendar
15 shall be confirmed by a two-thirds vote; however, the
16 senate shall take a separate roll call on each nominee,
17 unless by unanimous consent, it determines to take one
18 vote on all nominees under consideration. In any case,
19 the journal shall reflect a single roll call vote for
20 each nominee.

21 If an individual is nominated both to fill a vacancy
22 for an unexpired term and is also nominated for
23 reappointment to that position, and such appointment
24 and reappointment appear on the senate calendar as
25 eligible at the same time, a single vote is sufficient
26 for confirmation to both terms.

27 Rule 60

28 Time of Committee Passage and Consideration of Bills

29 1. This rule does not apply to concurrent or
30 simple resolutions, joint resolutions nullifying



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.R. 1

1 administrative rules, senate confirmations, bills
2 embodying redistricting plans prepared by the
3 legislative services agency pursuant to chapter
4 42, or bills passed by both houses in different
5 forms. Subsection 2 of this rule does not apply to
6 appropriations bills, ways and means bills, government
7 oversight bills, legalizing acts, administrative
8 rules review committee bills, bills sponsored by
9 standing committees in response to a referral from
10 the president of the senate or the speaker of the
11 house of representatives relating to an administrative
12 rule whose effective date has been delayed until the
13 adjournment of the next regular session of the general
14 assembly by the administrative rules review committee,
15 bills cosponsored by the majority and minority floor
16 leaders of the senate, bills in conference committee,
17 and companion bills sponsored by the majority floor
18 leaders of both houses after consultation with the
19 respective minority floor leaders. For the purposes of
20 this rule, a joint resolution is considered as a bill.
21 To be considered an appropriations or ways and means
22 bill for the purposes of this rule, the appropriations
23 committee or the ways and means committee must either
24 be the sponsor of the bill or the committee of first
25 referral in the senate.

26 2. To be placed on the calendar in the senate a
27 senate bill must be first reported out of a standing
28 committee by Friday of the 8th week of the first
29 session and the 8th week of the second session. A
30 house bill must be first reported out of a standing



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.R. 1

1 committee by Friday of the 12th week of the first
2 session and the 11th week of the second session to be
3 placed on the senate calendar.

4 3. During the 10th week of the first session and
5 the 9th week of the second session, the senate shall
6 consider only bills originating in the senate and
7 unfinished business. During the 13th week of the first
8 session and the 12th week of the second session, the
9 senate shall consider only bills originating in the
10 house and unfinished business. Beginning with the
11 14th week of the first session and the 13th week of the
12 second session, the senate shall consider only bills
13 passed by both houses, bills exempt from subsection 2,
14 and unfinished business.

15 4. A motion to reconsider filed and not disposed
16 of on an action taken on a bill or resolution which is
17 subject to a deadline under this rule may be called up
18 at any time before or after the day of the deadline by
19 the person filing the motion or after the deadline by
20 the majority floor leader, notwithstanding any other
21 rule to the contrary.

22 BE IT FURTHER RESOLVED, That should a system
23 of deadlines for the time of committee passage and
24 consideration of bills be adopted by joint action
25 of the senate and house at any time during the
26 ~~eighty-fifth~~ eighty-sixth general assembly, those
27 provisions shall supersede the provisions of rule 60.



**Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015**

Senate Resolution 2 - Introduced

SENATE RESOLUTION NO. 2

BY DIX

1 A Resolution honoring the sesquicentennial anniversary
2 of Ellsworth Community College.

3 WHEREAS, Ellsworth Community College in Iowa Falls
4 was established in 1890 as the private Ellsworth
5 Academy by Professor John Tobin; and

6 WHEREAS, the institution was named after Eugene
7 Ellsworth, a prominent citizen who provided much of the
8 financing for the first building and subsequent growth
9 of the college; and

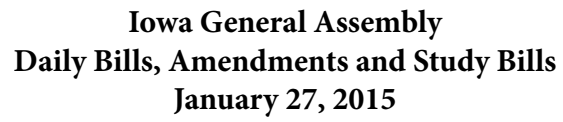
10 WHEREAS, the first classes began in 1890 with 50
11 students enrolled; and

12 WHEREAS, the citizens of Iowa Falls voted in 1928
13 to make Ellsworth a public junior college under
14 the dual jurisdiction of the Iowa Falls Community
15 School District and the Ellsworth College Board of
16 Trustees; and

17 WHEREAS, Ellsworth Community College became part
18 of Iowa Valley Community College District in 1968,
19 following establishment of the statewide system of
20 community colleges in 1965; and

21 WHEREAS, Ellsworth Community College continues
22 to honor the legacy of Eugene Ellsworth by helping
23 students solve problems, clarify options, broaden
24 their horizons, build on their strengths, set goals,
25 and achieve their dreams through a quality college
26 education; NOW THEREFORE,

27 BE IT RESOLVED BY THE SENATE, That the Senate
28 congratulates the Ellsworth Community College



1 administration, faculty, and staff; the Ellsworth
2 College Board of Trustees; the Ellsworth College
3 Foundation Board; and the Iowa Valley Community College
4 District as they celebrate 125 years of educational
5 excellence at Ellsworth Community College.



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

Senate Study Bill 1087 - Introduced

SENATE FILE _____
BY (PROPOSED COMMITTEE
ON LABOR AND BUSINESS
RELATIONS BILL BY
CHAIRPERSON BISIGNANO)

A BILL FOR

1 An Act concerning political affiliation of members of the
2 public employment relations board.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 1834XC (2) 86
ec/rj



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.F. _____

1 Section 1. Section 20.5, subsection 1, paragraph a, Code
2 2015, is amended to read as follows:

3 a. The board shall consist of three members appointed
4 by the governor, subject to confirmation by the senate. In
5 selecting the members of the board, consideration shall be
6 given to their knowledge, ability, and experience in the field
7 of labor-management relations. No more than ~~two members~~ one
8 member shall be of the same political party affiliation, ~~no~~
9 and of the three members of the board, two shall be registered
10 as a member of a political party, as defined in section 43.2,
11 that has one of the two highest numbers of registered voters
12 in this state as of the date of appointment and one member
13 shall be registered as no party. No member shall engage in any
14 political activity while holding office and the members shall
15 devote full time to their duties.

16 EXPLANATION

17 The inclusion of this explanation does not constitute agreement with
18 the explanation's substance by the members of the general assembly.

19 This bill provides that no more than one member of the three
20 member public employment relations board shall be of the same
21 political party. In addition, of the three members of the
22 board, two shall be registered as a member of a political party
23 that has one of the highest numbers of registered voters in
24 this state and one member shall be registered as no party.



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

Senate Study Bill 1088 - Introduced

SENATE/HOUSE FILE _____
BY (PROPOSED DEPARTMENT OF
HUMAN SERVICES BILL)

A BILL FOR

1 An Act increasing the criminal penalty for a sexually violent
2 predator who escapes or attempts to escape from custody.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 1338XD (6) 86
rh/nh



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.F. _____ H.F. _____

1 Section 1. Section 229A.5B, subsection 2, Code 2015, is
2 amended to read as follows:

3 2. A person who violates subsection 1 commits a ~~simple~~
4 serious misdemeanor or may be subject to punishment for
5 contempt.

6 EXPLANATION

7 The inclusion of this explanation does not constitute agreement with
8 the explanation's substance by the members of the general assembly.

9 Under current law, a sexually violent predator who is
10 civilly committed pursuant to Code chapter 229A, or a person
11 who is detained pending a determination of whether the person
12 is a sexually violent predator, who escapes or attempts to
13 escape from custody pursuant to Code section 229A.5B commits
14 a simple misdemeanor or may be subject to punishment for
15 contempt. This bill provides that such a violation is a
16 serious misdemeanor or may be punishable as contempt.
17 A simple misdemeanor is punishable by confinement for no
18 more than 30 days or a fine of at least \$65 but not more than
19 \$625 or by both. A serious misdemeanor is punishable by
20 confinement for no more than one year and a fine of at least
21 \$315 but no more than \$1,875.



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

Senate Study Bill 1089 - Introduced

SENATE/HOUSE FILE _____
BY (PROPOSED JUDICIAL BRANCH
BILL)

A BILL FOR

1 An Act relating to the certification and regulation of
2 shorthand reporters.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSE 1148XD (5) 86
jm/rj



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.F. _____ H.F. _____

1 Section 1. Section 602.3105, Code 2015, is amended to read
2 as follows:

3 **602.3105 Applications.**

4 Applications for certification shall be on forms prescribed
5 and furnished by the board and the board shall not require that
6 the application contain a photograph of the applicant. An
7 applicant shall not be denied certification because of age,
8 citizenship, sex, race, religion, marital status, or national
9 origin although the application may require citizenship
10 information. ~~The board may consider the past felony record of~~
11 ~~an applicant.~~ Character references may be required, but shall
12 not be obtained from certified shorthand reporters.

13 Sec. 2. NEW SECTION. **602.3108 Certification.**

14 The board may issue a certificate to a person of good
15 moral character and fitness who makes application on a form
16 prescribed and furnished by the board and who satisfies the
17 education, experience, and examination requirements of this
18 article and rules prescribed by the supreme court pursuant to
19 this article. The board may consider the applicant's past
20 record of any felony conviction and the applicant's past
21 record of disciplinary action with respect to certification
22 as a shorthand reporter in any jurisdiction. The board
23 may deny certification if the board finds the applicant has
24 committed any of the acts listed in section 602.3203 or has
25 made a false statement of material fact on the application for
26 certification.

27 Sec. 3. Section 602.3203, Code 2015, is amended by adding
28 the following new subsection:

29 NEW SUBSECTION. 8. Noncompliance with section 602.3204.

30 Sec. 4. NEW SECTION. **602.3204 Transcript integrity.**

31 A certified shorthand reporter taking a deposition, or any
32 other person with whom the certified shorthand reporter has a
33 principal-agent or employer-employee relationship, shall not
34 enter into an agreement for reporting services that requires
35 the certified shorthand reporter to relinquish control of an

LSB 1148XD (5) 86

-1-

jm/rj

1/2



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.F. _____ H.F. _____

1 original deposition transcript and copies of the transcript
2 before it is certified and delivered to the custodial attorney.

3 **EXPLANATION**

4 The inclusion of this explanation does not constitute agreement with
5 the explanation's substance by the members of the general assembly.

6 This bill relates to the certification and regulation of
7 shorthand reporters (court reporters).

8 Current law provides that a shorthand reporter shall
9 not engage in the profession of shorthand reporting unless
10 the person is certified. The bill expands the criteria for
11 obtaining such a certification. Under the bill, the board
12 of examiners of shorthand reporters may issue a certificate
13 to a person of good moral character and fitness who makes
14 application on a form prescribed and furnished by the board
15 and who satisfies the education, experience, examination
16 requirements, and rules prescribed by the supreme court. The
17 bill specifies that the board may consider the applicant's
18 past record of any felony conviction and the applicant's past
19 record of disciplinary action with respect to certification.
20 The bill further specifies that the board of examiners of
21 shorthand reporters may deny certification if the board finds
22 the applicant has committed any of the acts listed in Code
23 section 602.3203 or has made a false statement of material fact
24 on the application for certification.

25 The bill expands the conditions under which the board of
26 examiners of shorthand reporters may revoke or suspend the
27 certification of a shorthand reporter to include noncompliance
28 with new Code section 602.3204 relating to transcript integrity
29 as created in the bill.

30 New Code section 602.3204 is created to prohibit a shorthand
31 reporting services agreement from requiring a certified
32 shorthand reporter to relinquish control of an original
33 deposition transcript and copies of the transcript before it is
34 certified and delivered to the custodial attorney.



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

Senate Study Bill 1090 - Introduced

SENATE/HOUSE FILE _____
BY (PROPOSED DEPARTMENT OF
PUBLIC SAFETY BILL)

A BILL FOR

1 An Act relating to the refusal to submit to a chemical test of
2 blood in operating-while-intoxicated cases.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSE 1161XD (1) 86
ns/nh



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.F. _____ H.F. _____

1 Section 1. Section 321J.6, subsection 2, Code 2015, is
2 amended to read as follows:

3 2. The peace officer shall determine which of the three
4 substances, breath, blood, or urine, shall be tested. Refusal
5 to submit to a chemical test ~~of urine or breath~~ under this
6 section is deemed a refusal to submit, and section 321J.9
7 applies. ~~A refusal to submit to a chemical test of blood is not~~
8 ~~deemed a refusal to submit, but in that case, the peace officer~~
9 ~~shall then determine which one of the other two substances~~
10 ~~shall be tested and shall offer the test.~~ If the peace officer
11 fails to offer a test within two hours after the preliminary
12 screening test is administered or refused or the arrest is
13 made, whichever occurs first, a test is not required, and there
14 shall be no revocation under section 321J.9.

15 EXPLANATION

16 The inclusion of this explanation does not constitute agreement with
17 the explanation's substance by the members of the general assembly.

18 This bill relates to the refusal to submit to a chemical test
19 of blood in operating-while-intoxicated (OWI) cases.

20 Current law provides that a person's refusal to submit to
21 a chemical test of breath or urine in an OWI case constitutes
22 grounds for the department of transportation (DOT) to
23 administratively revoke the person's driver's license under
24 Code section 321J.9. The bill expands the grounds sufficient
25 for the DOT to revoke the person's driver's license under Code
26 section 321J.9 to include a person's refusal to submit to a
27 chemical test of blood.



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

Senate Study Bill 1091 - Introduced

SENATE FILE _____
BY (PROPOSED COMMITTEE
ON JUDICIARY BILL BY
CHAIRPERSON SODDERS)

A BILL FOR

1 An Act relating to the granting of a dissolution of marriage
2 when the respondent is convicted of a crime against the
3 petitioner and is incarcerated at the time of the filing of
4 the petition for dissolution of marriage.
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.F. _____

1 Section 1. Section 598.5, subsection 1, Code 2015, is
2 amended by adding the following new paragraph:

3 NEW PARAGRAPH. 1. State whether the respondent has been
4 convicted of a crime against the petitioner and is incarcerated
5 for such crime at the time of the filing of the petition.

6 Sec. 2. Section 598.8, subsection 2, unnumbered paragraph
7 1, Code 2015, is amended to read as follows:

8 The court may enter a decree of dissolution without a hearing
9 under either any of the following circumstances:

10 Sec. 3. Section 598.8, subsection 2, Code 2015, is amended
11 by adding the following new paragraph:

12 NEW PARAGRAPH. c. The petition includes a statement as
13 specified in section 598.5, subsection 1, paragraph "1", and all
14 of the following circumstances have been met:

15 (1) The respondent has been properly served, but has failed
16 to timely file an answer to the petition.

17 (2) The waiting period provisions under section 598.19 have
18 been met or an exception granted.

19 (3) The petitioner has certified in writing that there has
20 been a breakdown of the marriage relationship to the extent
21 that the legitimate objects of matrimony have been destroyed
22 and there remains no reasonable likelihood that the marriage
23 can be preserved.

24 (4) All documents required by the court and by statute have
25 been filed.

26 A petitioner to whom this paragraph "c" applies shall not be
27 subject to payment of respondent's attorney fees.

28 EXPLANATION

29 The inclusion of this explanation does not constitute agreement with
30 the explanation's substance by the members of the general assembly.

31 This bill provides that if a petition for dissolution of
32 marriage includes a statement that the respondent has been
33 convicted of a crime against the petitioner and is incarcerated
34 for such crime at the time of the filing of the petition,
35 the court may grant the dissolution of marriage without a

LSB 1871XC (1) 86

-1-

pf/nh

1/2



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.F. _____

1 hearing if: (1) the respondent has been properly served, but
2 has failed to timely file an answer to the petition; (2) the
3 waiting period provisions for a dissolution have been met or an
4 exception granted; (3) the petitioner has certified in writing
5 that there has been a breakdown of the marriage relationship to
6 the extent that the legitimate objects of matrimony have been
7 destroyed and there remains no reasonable likelihood that the
8 marriage can be preserved; and (4) all documents required by
9 the court and by statute have been filed. A petitioner under
10 these circumstances is not subject to payment of respondent's
11 attorney fees.



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

Senate Study Bill 1092 - Introduced

SENATE FILE _____
BY (PROPOSED COMMITTEE
ON JUDICIARY BILL BY
CHAIRPERSON SODDERS)

A BILL FOR

1 An Act concerning the issuance of temporary visitor driver's
2 licenses to certain foreign nationals.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.F. _____

1 Section 1. Section 321.1, Code 2015, is amended by adding
2 the following new subsection:

3 NEW SUBSECTION. 14A. "*Consular identification document*"
4 means an official identification card issued by a foreign
5 government that meets all of the following requirements:

6 a. The identification card is issued through the foreign
7 government's consular offices for the purpose of identifying
8 a foreign national who is living outside the foreign
9 jurisdiction.

10 b. The foreign government requires the foreign national
11 to provide proof of nationality that is within the foreign
12 government's jurisdiction and proof of identity to obtain the
13 identification card.

14 c. The foreign government includes all of the following
15 security features in the identification card:

16 (1) A unique identification number.

17 (2) An optically variable feature such as a hologram or
18 color-shifting inks.

19 (3) An ultraviolet image.

20 (4) Encoded information.

21 (5) Machine-readable technology.

22 (6) Microprinting.

23 (7) Secure laminate.

24 (8) Integrated photograph and signature.

25 d. The identification card includes on its face the name of
26 the individual to whom it is issued, the date of issuance, the
27 date of expiration, the name of the issuing consular office or
28 foreign government, and the unique identification number. The
29 identification card must include an English translation of the
30 data fields.

31 e. The issuing consular office or foreign government has
32 filed with the department a copy of the foreign government's
33 standard consular identification document and a certification
34 of the procedures that are used to satisfy the requirements of
35 paragraphs "b" and "c".

LSB 1684XC (1) 86

-1-

ns/nh

1/5



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.F. _____

1 Sec. 2. NEW SECTION. 321.182A Temporary visitor driver's
2 license.

3 1. The department may issue a temporary visitor driver's
4 license, valid for a period of two years, to a person who
5 is a resident of this state and is otherwise eligible for a
6 driver's license but does not present a social security number
7 or documentation of authorized presence issued by the United
8 States citizenship and immigration services.

9 2. In addition to other documents accepted by the department
10 under administrative rules to establish the identity and
11 date of birth of an applicant for a driver's license, if the
12 applicant is applying for a temporary visitor driver's license
13 under this section, the department may accept a valid unexpired
14 passport from the applicant's country of citizenship or a valid
15 unexpired consular identification document.

16 3. An applicant for a temporary visitor driver's license
17 who is under eighteen years of age at the time of application
18 is subject to the provisions of sections 321.177, subsection
19 1, and section 321.184.

20 4. Except as otherwise provided by law, a person issued a
21 temporary visitor driver's license is subject to the provisions
22 of this Code and administrative rules to the same extent as a
23 person issued any other driver's license under this chapter,
24 including but not limited to financial liability coverage
25 requirements under section 321.20B and examination requirements
26 under section 321.186.

27 5. A peace officer shall not detain, arrest, penalize, or
28 discriminate against a person based solely on the person's
29 presentation of a temporary visitor driver's license.

30 6. For purposes of this chapter, a temporary visitor
31 driver's license constitutes proof of identity to the same
32 extent as any other driver's license issued pursuant to this
33 chapter. However, a temporary visitor driver's license shall
34 not be used to determine voting eligibility or eligibility for
35 any license issued or benefit or service provided by this state

LSB 1684XC (1) 86
ns/nh

2/5



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.F. _____

1 or a political subdivision of this state.

2 7. The department may adopt rules as necessary to implement
3 this section, including but not limited to rules regarding the
4 design and content of the temporary visitor driver's license;
5 alternative identifying numbers to be used by the department
6 to establish the identity of an applicant, including a federal
7 individual taxpayer identification number; the issuance of
8 temporary visitor driver's instruction permits; and appropriate
9 fees to be charged for issuance of temporary visitor driver's
10 licenses and instruction permits.

11 8. Notwithstanding section 321.11 or any other provision
12 of law to the contrary, in any disclosure pertaining to
13 a licensee, the department shall not distinguish between
14 temporary visitor driver's license status and any other
15 licensure status.

16 Sec. 3. Section 321.189, Code 2015, is amended by adding the
17 following new subsection:

18 NEW SUBSECTION. 9. *Temporary visitor driver's license.*

19 A temporary visitor driver's license shall be of the same
20 design as a driver's license of the same class, except for
21 such minimal changes as are necessary to comply with the
22 requirements of the federal REAL ID Act of 2005, Pub. L. No.
23 109-13, §202(d)(11).

24 Sec. 4. Section 321.196, subsection 1, Code 2015, is amended
25 to read as follows:

26 1. Except as otherwise provided, if the licensee is between
27 the ages of seventeen years eleven months and seventy-two years
28 on the date of issuance of the license, a driver's license,
29 other than an instruction permit, chauffeur's instruction
30 permit, or commercial driver's instruction permit issued under
31 section 321.180, expires eight years from the licensee's
32 birthday anniversary occurring in the year of issuance, but
33 not to exceed the licensee's seventy-fourth birthday. If the
34 licensee is under the age of seventeen years eleven months
35 or age seventy-two or over, the license is effective for a

LSB 1684XC (1) 86

-3-

ns/nh

3/5



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.F. _____

1 period of two years from the licensee's birthday anniversary
2 occurring in the year of issuance. A licensee whose license is
3 restricted due to vision or other physical deficiencies may be
4 required to renew the license every two years. If a licensee
5 is a foreign national who is temporarily present in this state,
6 the license shall be issued only for the length of time the
7 foreign national is authorized to be present as verified by
8 the department, not to exceed two years. A temporary visitor
9 driver's license issued pursuant to section 321.182A shall be
10 issued for two years and may be renewed.

11 EXPLANATION

12 The inclusion of this explanation does not constitute agreement with
13 the explanation's substance by the members of the general assembly.

14 This bill provides for the issuance of a temporary
15 visitor driver's license to a person who presents a consular
16 identification document as proof of identification and date of
17 birth.

18 The bill defines "consular identification document" as an
19 official identification card issued by a foreign government,
20 through the foreign government's consular offices, for the
21 purpose of identifying a foreign national who is living
22 outside the foreign jurisdiction. The definition specifies
23 security attributes that a consular identification document
24 must have and content the document must contain. The document
25 must include an English translation of the data fields. The
26 definition also requires that a copy of the standard document
27 issued by the consular office or foreign government be filed
28 with the department of transportation along with certification
29 of procedures used to ascertain the identity of a person
30 to whom a consular identification document is issued and
31 procedures used to satisfy the specified security requirements
32 of the document.

33 Under the bill, the department of transportation may
34 issue a temporary visitor driver's license to a person who is
35 otherwise qualified for a driver's license but does not present

LSB 1684XC (1) 86

-4-

ns/nh

4/5



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.F. _____

1 a social security number or document of authorized presence
2 issued by the United States citizenship and immigration
3 services. The department may accept an unexpired passport from
4 the applicant's country of citizenship or a valid unexpired
5 consular identification document as proof of identification
6 and date of birth. The bill specifies that a person with a
7 temporary visitor driver's license is subject to all of the
8 Code provisions and administrative rules applicable to a person
9 with any other type of driver's license, including provisions
10 relating to drivers under 18 years of age, examination
11 requirements, and financial liability coverage requirements.
12 For purposes of Code chapter 321 relating to the regulation
13 of motor vehicles and motor vehicle operators, a temporary
14 visitor driver's license constitutes proof of identification
15 to the same extent as any other driver's license. However,
16 the license shall not be used to determine voting eligibility
17 or eligibility for any license issued or benefit or service
18 provided by this state or a political subdivision of this
19 state. The design of the temporary visitor driver's license
20 shall be the same as another driver's license of the same
21 class, except that the department may make minimal changes as
22 necessary to comply with requirements of the federal REAL ID
23 Act of 2005 relating to driver's licenses that may not be used
24 for federal purposes according to that Act. The bill provides
25 that a temporary visitor driver's license shall be valid for
26 two years and may be renewed. The department of transportation
27 is prohibited from distinguishing between temporary visitor
28 driver's license status and any other licensure status in any
29 disclosure pertaining to a licensee. The department may adopt
30 rules relating to the issuance of temporary visitor driver's
31 licenses and instruction permits, including providing for
32 appropriate license fees.



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

Senate Study Bill 1093 - Introduced

SENATE FILE _____
BY (PROPOSED COMMITTEE ON
HUMAN RESOURCES BILL BY
CHAIRPERSON MATHIS)

A BILL FOR

1 An Act relating to prescription authority for certain
2 psychologists and making penalties applicable.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.F. _____

1 Section 1. Section 123.3, subsection 35, Code 2015, is
2 amended to read as follows:

3 35. "*Pharmacy*" means a drug store in which drugs and
4 medicines are exposed for sale and sold at retail, or in which
5 prescriptions of licensed physicians and surgeons, dentists,
6 prescribing psychologists, or veterinarians are compounded and
7 sold by a registered pharmacist.

8 Sec. 2. Section 124.101, subsection 26, paragraph a, Code
9 2015, is amended to read as follows:

10 a. A physician, dentist, podiatric physician, prescribing
11 psychologist, veterinarian, scientific investigator or
12 other person licensed, registered, or otherwise permitted to
13 distribute, dispense, conduct research with respect to, or to
14 administer a controlled substance in the course of professional
15 practice or research in this state.

16 Sec. 3. Section 147.107, subsections 1 and 2, Code 2015, are
17 amended to read as follows:

18 1. A person, other than a pharmacist, physician,
19 dentist, podiatric physician, prescribing psychologist, or
20 veterinarian who dispenses as an incident to the practice of
21 the practitioner's profession, shall not dispense prescription
22 drugs or controlled substances.

23 2. a. A pharmacist, physician, dentist, ~~or~~ podiatric
24 physician, or prescribing psychologist who dispenses
25 prescription drugs, including but not limited to controlled
26 substances, for human use, may delegate nonjudgmental
27 dispensing functions to staff assistants only when verification
28 of the accuracy and completeness of the dispensing is
29 determined by the pharmacist or practitioner in the
30 pharmacist's or practitioner's physical presence. However, the
31 physical presence requirement does not apply when a pharmacist
32 or practitioner is utilizing an automated dispensing system or
33 when a pharmacist is utilizing a tech-check-tech program, as
34 defined in section 155A.3. When using an automated dispensing
35 system the pharmacist or practitioner shall utilize an

LSB 1910SC (2) 86

-1-

rh/nh

1/11



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.F. _____

1 internal quality control assurance plan that ensures accuracy
2 for dispensing. When using a tech-check-tech program the
3 pharmacist shall utilize an internal quality control assurance
4 plan, in accordance with rules adopted by the board of
5 pharmacy, that ensures accuracy for dispensing. Verification
6 of automated dispensing and tech-check-tech accuracy and
7 completeness remains the responsibility of the pharmacist or
8 practitioner and shall be determined in accordance with rules
9 adopted by the board of pharmacy, the board of medicine, the
10 dental board, ~~and the board of podiatry, and the board of~~
11 psychology for their respective licensees.

12 *b.* A dentist, physician, ~~or~~ podiatric physician, or
13 prescribing psychologist who dispenses prescription drugs,
14 other than drug samples, pursuant to this subsection, shall
15 report the fact that they dispense prescription drugs with the
16 practitioner's respective board at least biennially.

17 *c.* A physician, dentist, ~~or~~ podiatric physician, or
18 prescribing psychologist who dispenses prescription drugs,
19 other than drug samples, pursuant to this subsection, shall
20 offer to provide the patient with a written prescription that
21 may be dispensed from a pharmacy of the patient's choice or
22 offer to transmit the prescription orally, electronically, or
23 by facsimile in accordance with section 155A.27 to a pharmacy
24 of the patient's choice.

25 **Sec. 4. NEW SECTION. 148.13A Authority of board as to**
26 **supervising physicians under chapter 154B.**

27 The board of medicine shall establish by rule specific
28 procedures for consulting with and considering the advice of
29 the board of psychology in determining whether to initiate
30 a disciplinary proceeding under chapter 17A against a
31 licensed physician in a matter involving the supervision of a
32 psychologist prescribing medication pursuant to a conditional
33 prescription certificate under chapter 154B.

34 **Sec. 5.** Section 154B.1, Code 2015, is amended to read as
35 follows:

LSB 1910SC (2) 86
rh/nh

2/11



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.F. _____

1 **154B.1 Definition Definitions.**

2 As used in this chapter, unless the context otherwise
3 requires:

4 1. "Board" means the board of psychology created under
5 chapter 147.

6 2. "Collaborative relationship" means a cooperative
7 working relationship between a prescribing psychologist or a
8 psychologist with a conditional prescription certificate and a
9 licensed physician in the provision of patient care, including
10 diagnosis and cooperation in the management and delivery of
11 physical and mental health care.

12 3. "Conditional prescription certificate" means a document
13 issued by the board to a licensed psychologist that permits
14 the holder to prescribe psychotropic medication under the
15 supervision of a licensed physician pursuant to this chapter.

16 4. "Practice of psychology" means the application of
17 established principles of learning, motivation, perception,
18 thinking, and emotional relations to problems of behavior
19 adjustment, group relations, and behavior modification,
20 by persons trained in psychology for compensation or other
21 personal gain. The application of principles includes, but
22 is not limited to: Counseling and the use of psychological
23 remedial measures with persons, in groups or individually,
24 with adjustment or emotional problems in the areas of work,
25 family, school, and personal relationships; measuring and
26 testing personality, intelligence, aptitudes, public opinion,
27 attitudes, and skills; and the teaching of such subject matter,
28 and the conducting of research on the problems relating to
29 human behavior.

30 5. "Prescribing psychologist" means a licensed psychologist
31 who holds a valid prescription certificate.

32 6. "Prescription certificate" means a document issued by the
33 board to a licensed psychologist that permits the holder to
34 prescribe psychotropic medication pursuant to this chapter.

35 7. "Psychotropic medication" means a controlled substance

LSB 1910SC (2) 86

-3-

rh/nh

3/11



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.F. _____

1 or dangerous drug that may not be dispensed or administered
2 without a prescription and whose primary indication for use
3 has been approved by the federal food and drug administration
4 for the treatment of mental disorders and is listed as a
5 psychotherapeutic agent in drug facts and comparisons or in the
6 American hospital formulary service.

7 Sec. 6. NEW SECTION. 154B.9 Drugs — medicines.

8 1. Except as provided in subsections 2 and 3, a psychologist
9 shall not administer or prescribe drugs or medicine.

10 2. A licensed psychologist holding a conditional
11 prescription certificate may prescribe psychotropic medication
12 under the supervision of a licensed physician pursuant to this
13 chapter.

14 3. A prescribing psychologist may prescribe psychotropic
15 medication pursuant to this chapter.

16 Sec. 7. NEW SECTION. 154B.10 Conditional prescription
17 certificate.

18 1. An applicant for a conditional prescription certificate
19 shall be granted a certificate by the board if the applicant
20 satisfies all of the following requirements:

21 a. Holds a current license to practice psychology in this
22 state.

23 b. Completed pharmacological training from an institution
24 approved by the board or from a provider of continuing
25 education approved by the board.

26 c. Passed a national certification examination approved by
27 the board that tested the applicant's knowledge of pharmacology
28 in the diagnosis, care, and treatment of mental disorders.

29 d. Within five years immediately preceding the date of
30 application, successfully completed an organized program of
31 education consisting of intensive didactic instruction of no
32 fewer than four hundred fifty classroom hours in at least the
33 following core areas of instruction:

34 (1) Neuroscience.

35 (2) Pharmacology.

LSB 1910SC (2) 86

-4-

rh/nh

4/11



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.F. _____

1 (3) Psychopharmacology.

2 (4) Physiology.

3 (5) Appropriate and relevant physical and laboratory
4 assessment.

5 e. Within five years immediately preceding the date of
6 application, has been certified by the applicant's supervising
7 psychiatrist or physician as having successfully completed
8 a supervised and relevant clinical experience of no less
9 than an eighty-hour practicum in clinical assessment and
10 pathophysiology and an additional supervised practicum of at
11 least four hundred hours treating no fewer than one hundred
12 patients with mental disorders. The practica shall have been
13 supervised by a psychiatrist or other appropriately trained
14 physician. The board shall determine whether the practica is
15 sufficient to competently train the applicant in the treatment
16 of a diverse patient population.

17 f. Possesses malpractice insurance in place that will cover
18 the applicant during the period the conditional prescription
19 certificate is in effect.

20 g. Meets all other requirements, as determined by rules
21 adopted by the board, for obtaining a conditional prescription
22 certificate.

23 2. A conditional prescription certificate is valid for two
24 years, at the end of which the holder may apply again pursuant
25 to the provisions of subsection 1.

26 3. A psychologist with a conditional prescription
27 certificate may prescribe psychotropic medication under the
28 supervision of a licensed physician subject to all of the
29 following conditions:

30 a. The psychologist shall continue to hold a current license
31 to practice psychology in this state and continue to maintain
32 malpractice insurance.

33 b. The psychologist shall inform the board of the name of
34 the physician under whose supervision the psychologist will
35 prescribe psychotropic medication and promptly inform the board

LSB 1910SC (2) 86

-5-

rh/nh

5/11



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.F. _____

1 of any change of the supervising physician.

2 *c.* A physician supervising a psychologist prescribing
3 psychotropic medication pursuant to a conditional prescription
4 certificate shall be subject to disciplinary action pursuant to
5 section 148.13A for the acts and omissions of the psychologist
6 while under the physician's supervision. This provision
7 does not relieve the psychologist from liability for the
8 psychologist's acts and omissions.

9 Sec. 8. NEW SECTION. 154B.11 **Prescription certificate.**

10 1. An applicant for a prescription certificate shall be
11 granted a certificate by the board if the applicant satisfies
12 all of the following requirements:

13 *a.* Possesses a conditional prescription certificate and has
14 successfully completed one year of prescribing psychotropic
15 medication as certified by the supervising licensed physician.

16 *b.* Holds a current license to practice psychology in this
17 state.

18 *c.* Possesses malpractice insurance that will cover the
19 applicant as a prescribing psychologist.

20 *d.* Meets all other requirements, as determined by rules
21 adopted by the board, for obtaining a prescription certificate.

22 2. A psychologist with a prescription certificate may
23 prescribe psychotropic medication pursuant to the provisions of
24 this chapter subject to the following conditions:

25 *a.* The psychologist continues to hold a current license to
26 practice psychology in this state and maintains malpractice
27 insurance.

28 *b.* The psychologist annually satisfies the continuing
29 education requirements for prescribing psychologists, as
30 determined by the board, which shall be no fewer than twenty
31 hours each year.

32 Sec. 9. NEW SECTION. 154B.12 **Prescribing practices.**

33 1. A prescribing psychologist or a psychologist with
34 a conditional prescription certificate may administer and
35 prescribe psychotropic medication within the scope of the

LSB 1910SC (2) 86

-6-

rh/nh

6/11



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.F. _____

1 psychologist's profession, including the ordering and review of
2 laboratory tests in conjunction with the prescription, for the
3 treatment of mental disorders.

4 2. When prescribing psychotropic medication for a
5 patient, the prescribing psychologist or the psychologist
6 with a conditional prescription certificate shall maintain
7 an ongoing collaborative relationship with the licensed
8 physician who oversees the patient's general medical care to
9 ensure that necessary medical examinations are conducted,
10 the psychotropic medication is appropriate for the patient's
11 medical condition, and significant changes in the patient's
12 medical or psychological condition are discussed.

13 3. A prescription written by a prescribing psychologist or a
14 psychologist with a conditional prescription certificate shall
15 meet all of the following requirements:

16 a. Comply with applicable state and federal laws.

17 b. Be identified as issued by the psychologist as
18 "psychologist certified to prescribe".

19 c. Include the psychologist's board-assigned identification
20 number.

21 4. A prescribing psychologist or a psychologist with
22 a conditional prescription certificate shall not delegate
23 prescriptive authority to any other person. Records of all
24 prescriptions shall be maintained in patient records.

25 5. When authorized to prescribe controlled substances, a
26 prescribing psychologist or a psychologist with a conditional
27 prescription certificate shall file with the board in a
28 timely manner all individual federal drug enforcement agency
29 registration and numbers. The board shall maintain current
30 records on every psychologist, including federal registration
31 and numbers.

32 Sec. 10. NEW SECTION. 154B.13 Board duties regarding
33 prescription certificates and conditional prescription
34 certificates.

35 1. The board shall adopt rules providing for the

LSB 1910SC (2) 86
rh/nh

7/11



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.F. _____

1 procedures to obtain a conditional prescription certificate,
2 a prescription certificate, and renewals of a prescription
3 certificate. The board may set reasonable application and
4 renewal fees.

5 2. The board shall adopt rules establishing the grounds for
6 denial, suspension, or revocation of conditional prescription
7 certificates and prescription certificates, including a
8 provision for suspension or revocation of a license to practice
9 psychology upon suspension or revocation of a certificate.

10 3. The board shall provide to the board of pharmacy an
11 annual list of prescribing psychologists and psychologists
12 with conditional prescription certificates that contains
13 the information agreed upon between the board and the board
14 of pharmacy. The board shall promptly notify the board of
15 pharmacy of psychologists who are added to or removed from the
16 list.

17 4. The board shall adopt other rules as necessary to
18 administer this chapter.

19 Sec. 11. Section 155A.3, subsection 35, Code 2015, is
20 amended to read as follows:

21 35. "*Practitioner*" means a physician, dentist, podiatric
22 physician, prescribing psychologist, veterinarian, or other
23 person licensed or registered to distribute or dispense a
24 prescription drug or device in the course of professional
25 practice in this state or a person licensed by another state
26 in a health field in which, under Iowa law, licensees in this
27 state may legally prescribe drugs.

28 Sec. 12. Section 155A.23, subsection 1, paragraph c, Code
29 2015, is amended to read as follows:

30 c. For the purpose of obtaining a prescription drug or
31 device, falsely assuming the title of or claiming to be
32 a manufacturer, wholesaler, pharmacist, pharmacy owner,
33 physician, dentist, podiatric physician, prescribing
34 psychologist, veterinarian, or other authorized person.

35 Sec. 13. Section 155A.24, subsection 14, Code 2015, is

LSB 1910SC (2) 86
rh/nh

8/11



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.F. _____

1 amended to read as follows:

2 14. This section does not prevent a licensed practitioner of
3 medicine, dentistry, podiatry, nursing, psychology, veterinary
4 medicine, optometry, or pharmacy from acts necessary in the
5 ethical and legal performance of the practitioner's profession.

6 EXPLANATION

7 The inclusion of this explanation does not constitute agreement with
8 the explanation's substance by the members of the general assembly.

9 This bill grants prescription authority to certain licensed
10 psychologists under Code chapter 154B.

11 The bill adds definitions of "board", "collaborative
12 relationship", "conditional prescription certificate",
13 "prescribing psychologist", "prescription certificate", and
14 "psychotropic medication" to the Code chapter.

15 The bill allows a licensed psychologist holding a
16 conditional prescription certificate and a prescribing
17 psychologist, defined as a licensed psychologist who holds
18 a valid prescription certificate, to prescribe psychotropic
19 medication. However, the psychologist holding a conditional
20 prescription certificate may only prescribe psychotropic
21 medication under the supervision of a licensed physician.

22 The bill sets the requirements for a psychologist to obtain
23 a conditional prescription certificate or a prescription
24 certificate. A conditional prescription certificate is
25 valid for two years and a psychologist may reapply for the
26 certificate. To receive a prescription certificate, a
27 psychologist must complete one year of prescribing psychotropic
28 medication as supervised by a licensed physician. The licensed
29 physician may be subject to disciplinary action for the
30 acts and omissions of the psychologist under the physician's
31 supervision. A psychologist must maintain licensure as
32 a psychologist and malpractice insurance to retain the
33 prescription certificate or the conditional prescription
34 certificate.

35 The bill provides that a prescribing psychologist or

LSB 1910SC (2) 86

-9-

rh/nh

9/11



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.F. _____

1 psychologist with a conditional prescription certificate may
2 administer and prescribe psychotropic medication within the
3 scope of the person's profession. The prescribing psychologist
4 or psychologist with a conditional prescription certificate
5 must maintain a relationship with the patient's licensed
6 physician when prescribing psychotropic medication for the
7 patient.

8 The bill states that a prescription written by a
9 prescribing psychologist or a psychologist with a conditional
10 prescription certificate must comply with state and federal
11 law, be identified as issued by a "psychologist certified to
12 prescribe", and include the psychologist's board-assigned
13 identification number. A prescribing psychologist or
14 psychologist with a conditional prescription certificate
15 may not delegate the prescriptive authority to any other
16 person, and records of the prescriptions must be maintained
17 in the patient's records. The prescribing psychologist or
18 psychologist with a conditional prescription certificate must
19 also file federal drug enforcement agency registrations and
20 numbers with the board.

21 The bill instructs the board of psychology to adopt rules
22 providing for the procedures for obtaining a conditional
23 prescription certificate, a prescription certificate, and
24 renewal of the prescription certificate. The board may
25 also set a reasonable application and renewal fee. The
26 board must adopt rules regarding the denial, suspension,
27 or revocation of conditional prescription certificates and
28 prescription certificates. The board must provide the board of
29 pharmacy with an annual list of prescribing psychologists and
30 psychologists with conditional prescription certificates and
31 promptly notify the board of pharmacy of psychologists who are
32 added to or removed from the list.

33 A prescribing psychologist may be subject to criminal and
34 civil penalties and licensing sanctions under Code chapters
35 124, 147, 154B, and 155A.

LSB 1910SC (2) 86
rh/nh

10/11



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.F. _____

1 The bill makes conforming changes in Code chapters 123, 124,
2 147, and 155A.



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

Senate Study Bill 1094 - Introduced

SENATE FILE _____
BY (PROPOSED COMMITTEE ON
HUMAN RESOURCES BILL BY
CHAIRPERSON MATHIS)

A BILL FOR

1 An Act relating to third-party payment of services provided by
2 physical therapists, occupational therapists, and speech
3 pathologists.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.F. _____

1 Section 1. NEW SECTION. 514C.30 Services provided
2 by a physical therapist, occupational therapist, or speech
3 pathologist.

4 1. Notwithstanding the uniformity of treatment requirements
5 of section 514C.6, a policy, contract, or plan providing
6 for third-party payment or prepayment of health or medical
7 expenses shall not impose a copayment or coinsurance amount
8 on an insured for services provided by a physical therapist
9 licensed pursuant to chapter 148A, by an occupational therapist
10 licensed pursuant to chapter 148B, or by a speech pathologist
11 licensed pursuant to 154F that is greater than the copayment or
12 coinsurance amount imposed on the insured for services provided
13 by a person engaged in the practice of medicine and surgery
14 or osteopathic medicine and surgery under chapter 148 for the
15 same or a similar diagnosed condition even if a different
16 nomenclature is used to describe the condition for which the
17 services are provided.

18 2. This section applies to the following classes of
19 third-party payment provider policies, contracts, or plans
20 delivered, issued for delivery, continued, or renewed in this
21 state on or after July 1, 2015:

22 a. Individual or group accident and sickness insurance
23 providing coverage on an expense-incurred basis.

24 b. An individual or group hospital or medical service
25 contract issued pursuant to chapter 509, 514, or 514A.

26 c. An individual or group health maintenance organization
27 contract regulated under chapter 514B.

28 d. A plan established pursuant to chapter 509A for public
29 employees.

30 e. An organized delivery system licensed by the director of
31 public health.

32 3. This section shall not apply to accident-only,
33 specified disease, short-term hospital or medical, hospital
34 confinement indemnity, credit, dental, vision, Medicare
35 supplement, long-term care, basic hospital and medical-surgical

LSB 1674XC (2) 86

-1-

av/nh

1/2



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.F. _____

1 expense coverage as defined by the commissioner, disability
2 income insurance coverage, coverage issued as a supplement
3 to liability insurance, workers' compensation or similar
4 insurance, or automobile medical payment insurance.

5 EXPLANATION

6 The inclusion of this explanation does not constitute agreement with
7 the explanation's substance by the members of the general assembly.

8 This bill provides that a policy, contract, or plan
9 providing for third-party payment or prepayment of health or
10 medical expenses shall not impose a copayment or coinsurance
11 amount on an insured for services provided by a physical
12 therapist, occupational therapist, or speech pathologist that
13 is greater than the copayment or coinsurance amount imposed on
14 the insured for services rendered by a person engaged in the
15 practice of medicine and surgery or osteopathic medicine and
16 surgery for the same or a similar diagnosed condition even if a
17 different nomenclature is used to describe the condition for
18 which the services are provided.

19 The bill applies to specified individual and group policies,
20 contracts, and plans that are issued for delivery, continued,
21 or renewed in this state on or after July 1, 2015.



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

Senate Study Bill 1095 - Introduced

SENATE/HOUSE FILE _____
BY (PROPOSED DEPARTMENT OF
INSPECTIONS AND APPEALS
BILL)

A BILL FOR

1 An Act relating to court appointed special advocates and the
2 confidentiality of information regarding a child receiving
3 foster care.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSE 1328XD (4) 86
rh/nh



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.F. _____ H.F. _____

1 Section 1. Section 237.21, subsection 1, Code 2015, is
2 amended to read as follows:

3 1. The information and records of or provided to a local
4 board, state board, or court appointed special advocate
5 regarding a child who is receiving foster care or who is under
6 the court's jurisdiction and the child's family when relating
7 to services provided or the foster care placement are not
8 public records pursuant to chapter 22. The state board and
9 local boards, with respect to hearings involving specific
10 children receiving foster care and the child's family, are not
11 subject to chapter 21.

12 Sec. 2. Section 237.21, Code 2015, is amended by adding the
13 following new subsections:

14 NEW SUBSECTION. 2A. A court appointed special advocate may
15 attend family team decision-making meetings or youth transition
16 decision-making meetings upon request by the family or child
17 and disclose case-related observations and recommendations
18 relating to a child or a child's family while attending the
19 meetings.

20 NEW SUBSECTION. 2B. A court appointed special advocate may
21 disclose case-related observations and recommendations to the
22 agency assigned by the court to supervise the case or to the
23 child's legal representative or guardian ad litem.

24 Sec. 3. Section 237.21, subsection 3, Code 2015, is amended
25 to read as follows:

26 3. Members of the state board and local boards, court
27 appointed special advocates, and the employees of the
28 department and the department of inspections and appeals are
29 subject to standards of confidentiality pursuant to sections
30 217.30, 228.6, subsection 1, sections 235A.15, 600.16, and
31 600.16A. Members of the state and local boards, court appointed
32 special advocates, and employees of the department and the
33 department of inspections and appeals who disclose information
34 or records of the board or department, other than as provided
35 in ~~subsection 2~~ subsections 2, 2A, and 2B, sections 232.89 and

LSB 1328XD (4) 86

-1-

rh/nh

1/3



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.F. _____ H.F. _____

1 232.126, and section 237.20, subsection 2, are guilty of a
2 simple misdemeanor.

3 EXPLANATION

4 The inclusion of this explanation does not constitute agreement with
5 the explanation's substance by the members of the general assembly.

6 This bill relates to court appointed special advocates and
7 the confidentiality of information regarding a child receiving
8 foster care.

9 The bill allows a court appointed special advocate to attend
10 family team decision-making meetings and youth transition
11 decision-making meetings.

12 The bill amends confidentiality provisions concerning
13 information and records relating to a child receiving foster
14 care and foster care placement. Under current law, the
15 information and records of or provided to a local citizen
16 foster care review board, the child advocacy board, or court
17 appointed special advocate regarding a child receiving foster
18 care and the child's family when relating to the foster care
19 placement are not public records. The bill specifies that
20 such confidential information and records include records of
21 other services provided to a child who is under the court's
22 jurisdiction.

23 The bill allows a court appointed special advocate to attend
24 family team decision-making meetings or youth transition
25 decision-making meetings upon request by the family or child
26 and disclose case-related observations and recommendations
27 relating to a child or a child's family while attending the
28 meetings.

29 The bill also allows a court appointed special advocate to
30 disclose case-related observations and recommendations to the
31 agency assigned by the court to supervise the case or to the
32 child's legal representative or guardian ad litem.

33 The bill exempts members of the state child advocacy
34 board and local citizen foster care review boards, court
35 appointed special advocates, and employees of the departments

LSB 1328XD (4) 86

-2-

rh/nh

2/3



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.F. _____ H.F. _____

1 of human services and inspections and appeals from certain
2 confidentiality provisions if the disclosure of information
3 or records of the board or department are as provided under
4 the provisions of the bill, Code section 232.89 or 232.126
5 (appointments of counsel under juvenile justice Code), or
6 section 237.20, subsection 2 (court reports).



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

Senate Study Bill 1096 - Introduced

SENATE/HOUSE FILE _____
BY (PROPOSED DEPARTMENT OF
PUBLIC HEALTH BILL)

A BILL FOR

1 An Act relating to programs and services under the purview
2 of the department of public health including the board of
3 hearing aid dispensers and the medical residency training
4 matching grants program and including effective date and
5 retroactive applicability provisions.
6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.F. _____ H.F. _____

1

DIVISION I

2

HEARING AID SPECIALISTS

3

Section 1. Section 147.1, subsections 3 and 6, Code 2015,

4

are amended to read as follows:

5

3. "*Licensed*" or "*certified*", when applied to a physician

6

and surgeon, podiatric physician, osteopathic physician and

7

surgeon, physician assistant, psychologist, chiropractor,

8

nurse, dentist, dental hygienist, dental assistant,

9

optometrist, speech pathologist, audiologist, pharmacist,

10

physical therapist, physical therapist assistant, occupational

11

therapist, occupational therapy assistant, orthotist,

12

prosthetist, pedorthist, respiratory care practitioner,

13

practitioner of cosmetology arts and sciences, practitioner

14

of barbering, funeral director, dietitian, marital and family

15

therapist, mental health counselor, social worker, massage

16

therapist, athletic trainer, acupuncturist, nursing home

17

administrator, hearing aid ~~dispenser~~ specialist, or sign

18

language interpreter or transliterator means a person licensed

19

under this subtitle.

20

6. "*Profession*" means medicine and surgery, podiatry,

21

osteopathic medicine and surgery, practice as a physician

22

assistant, psychology, chiropractic, nursing, dentistry,

23

dental hygiene, dental assisting, optometry, speech pathology,

24

audiology, pharmacy, physical therapy, physical therapist

25

assisting, occupational therapy, occupational therapy

26

assisting, respiratory care, cosmetology arts and sciences,

27

barbering, mortuary science, marital and family therapy, mental

28

health counseling, social work, dietetics, massage therapy,

29

athletic training, acupuncture, nursing home administration,

30

practice as a hearing aid dispensing specialist, sign language

31

interpreting or transliterating, orthotics, prosthetics, or

32

pedorthics.

33

Sec. 2. Section 147.2, subsection 1, Code 2015, is amended

34

to read as follows:

35

1. A person shall not engage in the practice of medicine

LSB 1222XD (10) 86

-1-

pf/nh

1/17



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.F. _____ H.F. _____

1 and surgery, podiatry, osteopathic medicine and surgery,
2 psychology, chiropractic, physical therapy, physical
3 therapist assisting, nursing, dentistry, dental hygiene,
4 dental assisting, optometry, speech pathology, audiology,
5 occupational therapy, occupational therapy assisting,
6 orthotics, prosthetics, pedorthics, respiratory care,
7 pharmacy, cosmetology arts and sciences, barbering, social
8 work, dietetics, marital and family therapy or mental health
9 counseling, massage therapy, mortuary science, athletic
10 training, acupuncture, nursing home administration, ~~hearing aid~~
11 ~~dispensing~~, or sign language interpreting or transliterating,
12 or shall not practice as a physician assistant or a hearing aid
13 specialist, unless the person has obtained a license for that
14 purpose from the board for the profession.

15 Sec. 3. Section 147.13, subsection 22, Code 2015, is amended
16 to read as follows:

17 22. For hearing aid ~~dispensing~~ specialists, the board of
18 hearing aid ~~dispensers~~ specialists.

19 Sec. 4. Section 147.14, subsection 1, paragraph v, Code
20 2015, is amended to read as follows:

21 v. For hearing aid ~~dispensers~~ specialists, three licensed
22 hearing aid ~~dispensers~~ specialists and two members who are not
23 licensed hearing aid ~~dispensers~~ specialists who shall represent
24 the general public. No more than two members of the board
25 shall be employees of, or ~~dispensers~~ specialists principally
26 for, the same hearing aid manufacturer.

27 Sec. 5. Section 154A.1, subsections 1, 3, 6, 7, and 9, Code
28 2015, are amended to read as follows:

29 1. "Board" means the board of hearing aid ~~dispensers~~
30 specialists.

31 3. "Dispense" or "sell" means a transfer of title or of
32 the right to use by lease, bailment, or any other means,
33 but excludes a wholesale transaction with a distributor or
34 ~~dispenser~~ hearing aid specialist, and excludes the temporary,
35 charitable loan or educational loan of a hearing aid without

LSB 1222XD (10) 86

-2-

pf/nh

2/17



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.F. _____ H.F. _____

1 remuneration.

2 6. "*Hearing aid fitting*" means the measurement of
3 human hearing by any means for the purpose of selections,
4 adaptations, and sales of hearing aids, ~~and~~ the instruction and
5 counseling pertaining ~~thereto~~ to the selections, adaptations,
6 and sales of hearing aids, ~~and~~ demonstration of techniques in
7 the use of hearing aids, and the making of earmold impressions
8 as part of the fitting of hearing aids.

9 7. "*License*" means a license issued by the state under this
10 chapter to a hearing aid ~~dispensers~~ specialist.

11 9. "*Temporary permit*" means a permit issued while the
12 applicant is in training to become a licensed hearing aid
13 ~~dispenser~~ specialist.

14 Sec. 6. Section 154A.1, subsection 5, Code 2015, is amended
15 by striking the subsection.

16 Sec. 7. Section 154A.1, Code 2015, is amended by adding the
17 following new subsection:

18 NEW SUBSECTION. 6A. "*Hearing aid specialist*" means any
19 person engaged in the fitting, dispensing, and sale of hearing
20 aids and providing hearing aid services or maintenance, by
21 means of procedures stipulated by this chapter or the board.

22 Sec. 8. Section 154A.13, Code 2015, is amended to read as
23 follows:

24 **154A.13 Temporary permit.**

25 A person who has not been licensed as a hearing aid ~~dispenser~~
26 specialist may obtain a temporary permit from the department
27 upon completion of the application accompanied by the written
28 verification of employment from a licensed hearing aid
29 ~~dispenser~~ specialist. The department shall issue a temporary
30 permit for one year which shall not be renewed or reissued.
31 The fee for issuance of the temporary permit shall be set by
32 the board in accordance with the provisions for establishment
33 of fees in section 147.80. The temporary permit entitles an
34 applicant to engage in the fitting or selection and sale of
35 hearing aids under the supervision of a person holding a valid

LSB 1222XD (10) 86

-3-

pf/nh

3/17



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.F. _____ H.F. _____

1 license.

2 Sec. 9. Section 154A.19, Code 2015, is amended to read as
3 follows:

4 **154A.19 Exceptions.**

5 1. This chapter shall not prohibit a corporation,
6 partnership, trust, association, or other organization
7 maintaining an established business address from engaging in
8 the business of selling or offering for sale hearing aids at
9 retail without a license if it employs only licensed hearing
10 aid ~~dispensers~~ specialists in the direct fitting or selection
11 and sale of hearing aids. Such an organization shall file
12 annually with the board a list of all licensed hearing aid
13 ~~dispensers~~ specialists and persons holding temporary permits
14 directly or indirectly employed by it. Such an organization
15 shall also file with the board a statement on a form approved
16 by the board that the organization submits itself to the rules
17 and regulations of the board and the provisions of this chapter
18 which the department deems applicable.

19 2. This chapter shall not apply to a person who engages
20 in the practices covered by this chapter if this activity is
21 part of the academic curriculum of an accredited institution of
22 higher education, or part of a program conducted by a public
23 or charitable institution, or nonprofit organization, unless
24 the institution or organization also dispenses or sells hearing
25 aids.

26 3. This chapter shall not prevent any person from engaging
27 in practices covered by this chapter, provided the person, or
28 organization employing the person, does not dispense or sell
29 hearing aids.

30 Sec. 10. Section 154A.20, Code 2015, is amended to read as
31 follows:

32 **154A.20 Rights of purchaser.**

33 1. A hearing aid ~~dispenser~~ specialist shall deliver, to
34 each person supplied with a hearing aid, a receipt which
35 contains the licensee's signature and shows the licensee's

LSB 1222XD (10) 86

-4-

pf/nh

4/17



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.F. _____ H.F. _____

1 business address and the number of the license, together with
2 specifications as to the make, model, and serial number of the
3 hearing aid furnished, and full terms of sale clearly stated,
4 including the date of consummation of the sale of the hearing
5 aid. If a hearing aid is sold which is not new, the receipt and
6 the container must be clearly marked "used" or "reconditioned",
7 with the terms of guarantee, if any.

8 2. The receipt shall bear the following statement in type no
9 smaller than the largest used in the body copy portion of the
10 receipt:

11 The purchaser has been advised that any examination or
12 representation made by a licensed hearing aid ~~dispenser~~
13 specialist in connection with the fitting or selection and
14 selling of this hearing aid is not an examination, diagnosis,
15 or prescription by a person licensed to practice medicine in
16 this state and therefore, must not be regarded as medical
17 opinion or advice.

18 3. Whenever any of the following conditions are found to
19 exist either from observations by the licensed hearing aid
20 ~~dispenser~~ specialist or person holding a temporary permit or on
21 the basis of information furnished by a prospective hearing aid
22 user, the hearing aid ~~dispenser~~ specialist or person holding a
23 temporary permit shall, prior to fitting and selling a hearing
24 aid to any individual, suggest to that individual in writing
25 that the individual's best interests would be served if the
26 individual would consult a licensed physician specializing
27 in diseases of the ear, or if no such licensed physician is
28 available in the community, then a duly licensed physician:

- 29 a. Visible congenital or traumatic deformity of the ear.
30 b. History of, or active drainage from the ear within the
31 previous ninety days.
32 c. History of sudden or rapidly progressive hearing loss
33 within the previous ninety days.
34 d. Acute or chronic dizziness.
35 e. Unilateral hearing loss of sudden or recent onset within

LSB 1222XD (10) 86

-5-

pf/nh

5/17



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.F. _____ H.F. _____

1 the previous ninety days.

2 *f.* Significant air-bone gap ~~{greater~~ greater than or equal
3 to 15dB ANSI 500, 1000 and 2000 Hz. ~~average}~~ average.

4 *g.* Obstruction of the ear canal, by structures of
5 undetermined origin, such as foreign bodies, impacted cerumen,
6 redness, swelling, or tenderness from localized infections of
7 the otherwise normal ear canal.

8 4. A copy of the written recommendation shall be retained by
9 the licensed hearing aid ~~dispenser~~ specialist for the period
10 of seven years. A person receiving the written recommendation
11 who elects to purchase a hearing aid shall sign a receipt for
12 the same, and the receipt shall be kept with the other papers
13 retained by the licensed hearing aid ~~dispenser~~ specialist for
14 the period of seven years. Nothing in this section required
15 to be performed by a licensed hearing aid ~~dispenser~~ specialist
16 shall mean that the hearing aid ~~dispenser~~ specialist is engaged
17 in the diagnosis of illness or the practice of medicine or any
18 other activity prohibited by this chapter.

19 5. No hearing aid shall be sold by any individual licensed
20 under this chapter to a person twelve years of age or younger,
21 unless within the preceding six months a recommendation for
22 a hearing aid has been made by a physician specializing in
23 otolaryngology. A replacement of an identical hearing aid
24 within one year shall be an exception to this requirement.

25 6. A licensed hearing aid ~~dispenser~~ specialist shall, upon
26 the consummation of a sale of a hearing aid, keep and maintain
27 records in the ~~dispenser's~~ specialist's office or place of
28 business at all times and each such record shall be kept
29 and maintained for a seven-year period. These records shall
30 include:

31 *a.* Results of test techniques as they pertain to fitting of
32 the hearing aids.

33 *b.* A copy of the written receipt and the written
34 recommendation.

35 Sec. 11. Section 154A.21, Code 2015, is amended to read as

LSB 1222XD (10) 86

-6-

pf/nh

6/17



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.F. _____ H.F. _____

1 follows:

2 **154A.21 Notice of address.**

3 1. A licensee or person holding a temporary permit shall
4 notify the department in writing of the address of the place
5 where the licensee or permittee engages or intends to engage in
6 business as a hearing aid ~~dispenser~~ specialist. The department
7 shall keep a record of the place of business of licensees and
8 persons holding temporary permits.

9 2. Any notice required to be given by the department to a
10 licensee shall be adequately served if sent by certified mail
11 to the address of the last place of business recorded.

12 Sec. 12. Section 154A.24, subsection 3, paragraphs e and i,
13 Code 2015, are amended to read as follows:

14 *e.* Representing that the service or advice of a person
15 licensed to practice medicine, or one who is certificated as
16 a clinical audiologist by the board of speech pathology and
17 audiology or its equivalent, will be used or made available in
18 the fitting or selection, adjustment, maintenance, or repair
19 of hearing aids when that is not true, or using the words
20 "doctor", "clinic", "clinical audiologist", "state approved",
21 or similar words, abbreviations, or symbols which tend to
22 connote the medical or other professions, except where the
23 title "certified hearing aid audiologist" has been granted
24 by the national hearing aid society, or that the hearing aid
25 ~~dispenser~~ specialist has been recommended by this state or the
26 board when such is not accurate.

27 *i.* Directly or indirectly giving or offering to give, or
28 permitting or causing to be given, money or anything of value
29 to a person who advises another in a professional capacity, as
30 an inducement to influence the person or cause the person to
31 influence others to purchase or contract to purchase products
32 sold or offered for sale by a hearing aid ~~dispenser~~ specialist,
33 or to influence others to refrain from dealing in the products
34 of competitors.

35 Sec. 13. Section 154A.25, subsection 2, Code 2015, is

LSB 1222XD (10) 86

-7-

pf/nh

7/17



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.F. _____ H.F. _____

1 amended to read as follows:

2 2. Purchase or procure by barter a license or temporary
3 permit with intent to use it as evidence of the holder's
4 qualifications to engage in business as a hearing aid ~~dispenser~~
5 specialist.

6 Sec. 14. Section 154F.2, subsection 1, paragraph b, Code
7 2015, is amended to read as follows:

8 b. Hearing aid fitting, the dispensing or sale of hearing
9 aids, and the providing of hearing aid service and maintenance
10 by a hearing aid ~~dispenser~~ specialist or holder of a temporary
11 permit as defined and licensed under chapter 154A.

12 Sec. 15. Section 154F.2, subsection 2, Code 2015, is amended
13 to read as follows:

14 2. A person exempted from the provisions of this chapter by
15 this section shall not use the title "speech pathologist" or
16 "audiologist" or any title or device indicating or representing
17 in any manner that the person is a speech pathologist or is
18 an audiologist; provided, a hearing aid ~~dispenser~~ specialist
19 licensed under chapter 154A may use the title "certified
20 hearing aid audiologist" when granted by the national hearing
21 aid society; and provided, persons who meet the requirements
22 of section 154F.3, subsection 1, who are certified by the
23 department of education as speech clinicians may use the title
24 "speech pathologist" and persons who meet the requirements
25 of section 154F.3, subsection 2, who are certified by the
26 department of education as hearing clinicians may use the
27 title "audiologist", while acting within the scope of their
28 employment.

29 Sec. 16. Section 216E.7, Code 2015, is amended to read as
30 follows:

31 **216E.7 Exemptions.**

32 This chapter does not apply to a hearing aid sold, leased,
33 or transferred to a consumer by an audiologist licensed under
34 chapter 154F, or a hearing aid ~~dispenser~~ specialist licensed
35 under chapter 154A, if the audiologist or ~~dispenser~~ specialist

LSB 1222XD (10) 86

-8-

pf/nh

8/17



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.F. _____ H.F. _____

1 provides either an express warranty for the hearing aid or
2 provides for service and replacement of the hearing aid.

3 Sec. 17. Section 272C.1, subsection 6, paragraph v, Code
4 2015, is amended to read as follows:

5 v. The board of hearing aid ~~dispensers~~ specialists, created
6 pursuant to chapter 154A.

7 DIVISION II

8 MEDICAL RESIDENCY TRAINING STATE MATCHING GRANTS PROGRAM —

9 REENACTMENT

10 Sec. 18. NEW SECTION. 135.176 **Medical residency training**
11 **state matching grants program.**

12 1. The department shall establish a medical residency
13 training state matching grants program to provide matching
14 state funding to sponsors of accredited graduate medical
15 education residency programs in this state to establish,
16 expand, or support medical residency training programs.
17 Funding for the program may be provided through the health
18 care workforce shortage fund or the medical residency training
19 account created in section 135.175. For the purposes of this
20 section, unless the context otherwise requires, “accredited”
21 means a graduate medical education program approved by the
22 accreditation council for graduate medical education or the
23 American osteopathic association. The grant funds may be
24 used to support medical residency programs through any of the
25 following:

26 a. The establishment of new or alternative campus accredited
27 medical residency training programs. For the purposes of
28 this paragraph, “*new or alternative campus accredited medical*
29 *residency training program*” means a program that is accredited
30 by a recognized entity approved for such purpose by the
31 accreditation council for graduate medical education or the
32 American osteopathic association with the exception that
33 a new medical residency training program that, by reason
34 of an insufficient period of operation is not eligible for
35 accreditation on or before the date of submission of an

LSB 1222XD (10) 86

-9-

pf/nh

9/17



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.F. _____ H.F. _____

1 application for a grant, may be deemed accredited if the
2 accreditation council for graduate medical education or the
3 American osteopathic association finds, after consultation with
4 the appropriate accreditation entity, that there is reasonable
5 assurance that the program will meet the accreditation
6 standards of the entity prior to the date of graduation of the
7 initial class in the program.

8 **b.** The provision of new residency positions within existing
9 accredited medical residency or fellowship training programs.

10 **c.** The funding of residency positions which are in excess of
11 the federal residency cap. For the purposes of this paragraph,
12 *"in excess of the federal residency cap"* means a residency
13 position for which no federal Medicare funding is available
14 because the residency position is a position beyond the cap for
15 residency positions established by the federal Balanced Budget
16 Act of 1997, Pub. L. No. 105-33.

17 2. The department shall adopt rules pursuant to chapter 17A
18 to provide for all of the following:

19 **a.** Eligibility requirements for and qualifications
20 of a sponsor of an accredited graduate medical education
21 residency program to receive a grant. The requirements and
22 qualifications shall include but are not limited to all of the
23 following:

24 (1) Only a sponsor that establishes a dedicated fund to
25 support a residency program that meets the specifications of
26 this section shall be eligible to receive a matching grant. A
27 sponsor funding residency positions in excess of the federal
28 residency cap, as defined in subsection 1, paragraph *"c"*,
29 exclusive of funds provided under the medical residency
30 training state matching grants program established in this
31 section, is deemed to have satisfied this requirement and
32 shall be eligible for a matching grant equal to the amount of
33 funds expended for such residency positions, subject to the
34 limitation on the maximum award of grant funds specified in
35 paragraph *"e"*.

LSB 1222XD (10) 86

-10-

pf/nh

10/17



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.F. _____ H.F. _____

1 (2) A sponsor shall demonstrate, through documented
2 financial information as prescribed by rule of the department,
3 that funds have been reserved and will be expended by the
4 sponsor in the amount required to provide matching funds for
5 each residency proposed in the request for state matching
6 funds.

7 (3) A sponsor shall demonstrate, through objective evidence
8 as prescribed by rule of the department, a need for such
9 residency program in the state.

10 *b.* The application process for the grant.

11 *c.* Criteria for preference in awarding of the grants,
12 including preference in the residency specialty.

13 *d.* Determination of the amount of a grant. The total amount
14 of a grant awarded to a sponsor shall be limited to no more
15 than twenty-five percent of the amount that the sponsor has
16 demonstrated through documented financial information has been
17 reserved and will be expended by the sponsor for each residency
18 sponsored for the purpose of the residency program.

19 *e.* The maximum award of grant funds to a particular
20 individual sponsor per year. An individual sponsor shall not
21 receive more than twenty-five percent of the state matching
22 funds available each year to support the program. However,
23 if less than ninety-five percent of the available funds has
24 been awarded in a given year, a sponsor may receive more than
25 twenty-five percent of the state matching funds available
26 if total funds awarded do not exceed ninety-five percent of
27 the available funds. If more than one sponsor meets the
28 requirements of this section and has established, expanded,
29 or supported a graduate medical residency training program,
30 as specified in subsection 1, in excess of the sponsor's
31 twenty-five percent maximum share of state matching funds, the
32 state matching funds shall be divided proportionately among
33 such sponsors.

34 *f.* Use of the funds awarded. Funds may be used to pay the
35 costs of establishing, expanding, or supporting an accredited

LSB 1222XD (10) 86

-11-

pf/nh

11/17



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.F. _____ H.F. _____

1 graduate medical education program as specified in this
2 section, including but not limited to the costs associated with
3 residency stipends and physician faculty stipends.

4 Sec. 19. EFFECTIVE DATE. This division of this Act, being
5 deemed of immediate importance, takes effect upon enactment.

6 Sec. 20. APPLICABILITY. This division of this Act applies
7 retroactively to June 30, 2014.

8 DIVISION III

9 MEDICAL RESIDENCY TRAINING STATE MATCHING GRANTS PROGRAM —

10 AMENDMENTS

11 Sec. 21. Section 135.176, as enacted in this Act, is amended
12 to read as follows:

13 **135.176 Medical residency training state matching grants**
14 **program.**

15 1. The department shall establish a medical residency
16 training state matching grants program to provide matching
17 state funding to sponsors of accredited graduate medical
18 education residency programs in this state to establish,
19 expand, or support medical residency training programs.
20 Funding for the program may be provided through the health
21 care workforce shortage fund or the medical residency training
22 account created in section 135.175. For the purposes of this
23 section, unless the context otherwise requires, "*accredited*"
24 means a graduate medical education program approved by the
25 accreditation council for graduate medical education or the
26 American osteopathic association. The grant funds may be
27 used to support medical residency programs through any of the
28 following:

29 *a.* The establishment of new or alternative campus accredited
30 medical residency training programs. For the purposes of
31 this paragraph, "*new or alternative campus accredited medical*
32 *residency training program*" means a program that is accredited
33 by a recognized entity approved for such purpose by the
34 accreditation council for graduate medical education or the
35 American osteopathic association with the exception that

LSB 1222XD (10) 86

-12-

pf/nh

12/17



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.F. _____ H.F. _____

1 a new medical residency training program that, by reason
2 of an insufficient period of operation is not eligible for
3 accreditation on or before the date of submission of an
4 application for a grant, may be deemed accredited if the
5 accreditation council for graduate medical education or the
6 American osteopathic association finds, after consultation with
7 the appropriate accreditation entity, that there is reasonable
8 assurance that the program will meet the accreditation
9 standards of the entity prior to the date of graduation of the
10 initial class in the program.

11 **b.** The provision of new residency positions within existing
12 accredited medical residency or fellowship training programs.

13 **c.** The funding of residency positions which are in excess of
14 the federal residency cap. For the purposes of this paragraph,
15 *"in excess of the federal residency cap"* means a residency
16 position for which no federal Medicare funding is available
17 because the residency position is a position beyond the cap for
18 residency positions established by the federal Balanced Budget
19 Act of 1997, Pub. L. No. 105-33.

20 **2.** The department shall adopt rules pursuant to chapter 17A
21 to provide for all of the following:

22 **a.** Eligibility requirements for and qualifications
23 of a sponsor of an accredited graduate medical education
24 residency program to receive a grant. The requirements and
25 qualifications shall include but are not limited to all of the
26 following:

27 **(1)** ~~Only a sponsor that establishes a dedicated fund to~~
28 ~~support a residency program that meets the specifications of~~
29 ~~this section shall be eligible to receive a matching grant. A~~
30 ~~sponsor funding residency positions in excess of the federal~~
31 ~~residency cap, as defined in subsection 1, paragraph "c",~~
32 ~~exclusive of funds provided under the medical residency~~
33 ~~training state matching grants program established in this~~
34 ~~section, is deemed to have satisfied this requirement and~~
35 ~~shall be eligible for a matching grant equal to the amount of~~

LSB 1222XD (10) 86

-13-

pf/nh

13/17



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.F. _____ H.F. _____

1 ~~funds expended for such residency positions, subject to the~~
2 ~~limitation on the maximum award of grant funds specified in~~
3 ~~paragraph "c".~~

4 {2} A sponsor shall demonstrate, ~~through documented~~
5 ~~financial information as prescribed by rule of the department,~~
6 that funds have been ~~reserved~~ budgeted and will be expended by
7 the sponsor in the amount required to provide matching funds
8 for each residency proposed in the request for state matching
9 funds.

10 {3} (2) A sponsor shall demonstrate, through objective
11 evidence as prescribed by rule of the department, a need for
12 such residency program in the state.

13 b. The application process for the grant.

14 c. Criteria for preference in awarding of the grants,
15 including preference in the residency specialty.

16 d. Determination of the amount of a grant. The total amount
17 of a grant awarded to a sponsor proposing the establishment
18 of a new or alternative campus accredited medical residency
19 training program as defined in subsection 1, paragraph "a",
20 shall be limited to no more than ~~twenty-five~~ one hundred
21 percent of the amount the sponsor has budgeted as demonstrated
22 under paragraph "a". The total amount of a grant awarded to
23 a sponsor proposing the provision of a new residency position
24 within an existing accredited medical residency or fellowship
25 training program as specified in subsection 1, paragraph "b"
26 or the funding of residency positions which are in excess of
27 the federal residency cap as defined in subsection 1, paragraph
28 "c", shall be limited to no more than twenty-five percent of
29 the amount that the sponsor has ~~demonstrated through documented~~
30 ~~financial information has been reserved and will be expended by~~
31 the sponsor budgeted for each residency position sponsored for
32 the purpose of the residency program.

33 e. The maximum award of grant funds to a particular
34 individual sponsor per year. An individual sponsor that
35 establishes a new or alternative campus accredited medical

LSB 1222XD (10) 86

-14-

pf/nh

14/17



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.F. _____ H.F. _____

1 residency training program as defined in subsection 1,
2 paragraph "a" shall not receive more than twenty-five fifty
3 percent of the state matching funds available each year to
4 support the program. However, if less than ninety-five percent
5 of the available funds has been awarded in a given year, a
6 sponsor may receive more than twenty-five percent of the
7 state matching funds available if total funds awarded do not
8 exceed ninety-five percent of the available funds. If more
9 than one sponsor meets the requirements of this section and
10 has established, expanded, or supported a graduate medical
11 residency training program, as specified in subsection 1, in
12 excess of the sponsor's twenty-five percent maximum share of
13 state matching funds, the state matching funds shall be divided
14 proportionately among such sponsors. An individual sponsor
15 proposing the provision of a new residency position within an
16 existing accredited medical residency or fellowship training
17 program as specified in subsection 1, paragraph "b" or the
18 funding of residency positions which are in excess of the
19 federal residency cap as defined in subsection 1, paragraph "c",
20 shall not receive more than twenty-five percent of the state
21 matching funds available each year to support the program.
22 f. Use of the funds awarded. Funds may be used to pay the
23 costs of establishing, expanding, or supporting an accredited
24 graduate medical education program as specified in this
25 section, including but not limited to the costs associated with
26 residency stipends and physician faculty stipends.

27 EXPLANATION

28 The inclusion of this explanation does not constitute agreement with
29 the explanation's substance by the members of the general assembly.

30 This bill relates to programs and services under the purview
31 of the department of public health.

32 Division I of the bill changes references to and relating
33 to "hearing aid dispensers" to "hearing aid specialists".
34 The bill changes the references to the "board of hearing aid
35 dispensers" to the "board of hearing aid specialists" and makes

LSB 1222XD (10) 86

-15-

pf/nh

15/17



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.F. _____ H.F. _____

1 other conforming changes throughout the Code.

2 Division II of the bill relates to the medical residency
3 training state matching grants program. The medical residency
4 training state matching grants program (Code section 135.176,
5 Code 2013), that was repealed on June 30, 2014, is reenacted
6 as amended by 2014 Iowa Acts, chapter 1190, section 7. The
7 division takes effect upon enactment and is retroactively
8 applicable to June 30, 2014.

9 Division III of the bill amends the newly reenacted Code
10 section 135.176, to provide that instead of a requirement that
11 a sponsor establish a dedicated fund to support a residency
12 program, a sponsor shall demonstrate that funds have been
13 budgeted in the amount required in the request for matching
14 funds. Additionally, the bill provides that the limit on the
15 total amount of a grant made to a sponsor is based upon the
16 type of residency position to be funded. Under the bill, the
17 limit is no more than 100 percent of the amount the sponsor
18 budgeted if the sponsor is proposing the establishment of
19 a new or alternative campus accredited medical residency
20 training program, and the limit is not more than 25 percent
21 of the amount the sponsor has budgeted if the sponsor is
22 proposing provision of a new residency position within an
23 existing accredited medical residency or fellowship training
24 program or the funding of residency positions which are in
25 excess of the federal residency cap. Under the bill, the
26 maximum award of grant funds to a particular sponsor that
27 establishes a new or alternative campus accredited medical
28 residency training program shall be not more than 50 percent
29 of the state matching funds available each year; and the
30 maximum award to a particular sponsor that is proposing
31 provision of a new residency position within an existing
32 accredited medical residency or fellowship training program
33 or the funding of residency positions which are in excess of
34 the federal residency cap shall not be more than 25 percent of
35 the state matching funds available each year. Under the bill,

LSB 1222XD (10) 86

-16-

pf/nh

16/17



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.F. _____ H.F. _____

1 unlike under the prior program, there is not a formula for the
2 awarding of funds if less than 95 percent of the available
3 funds were awarded.



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

Senate Study Bill 1097 - Introduced

SENATE/HOUSE FILE _____
BY (PROPOSED BOARD OF NURSING
BILL)

A BILL FOR

1 An Act relating to persons and activities regulated by the
2 board of nursing.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSE 1216DP (7) 86
tr/nh



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.F. _____ H.F. _____

1 Section 1. Section 125.2, subsection 11, Code 2015, is
2 amended to read as follows:

3 11. *"Psychiatric advanced registered nurse practitioner"*
4 means an individual currently licensed as a registered nurse
5 under chapter 152 or 152E who holds a national certification
6 in psychiatric mental health care and who is ~~registered with~~
7 licensed by the board of nursing as an advanced registered
8 nurse practitioner.

9 Sec. 2. Section 135G.1, subsection 1, Code 2015, is amended
10 to read as follows:

11 1. *"Advanced registered nurse practitioner"* means a person
12 currently licensed as a registered nurse under chapter 152 or
13 152E who is ~~registered with~~ licensed by the board of nursing as
14 an advanced registered nurse practitioner.

15 Sec. 3. Section 147.107, subsection 8, Code 2015, is amended
16 to read as follows:

17 8. Notwithstanding subsection 1, but subject to the
18 limitations contained in subsections 2 and 3, a registered
19 nurse who is licensed ~~and registered~~ as an advanced registered
20 nurse practitioner ~~and who qualifies for and is registered~~
21 ~~in a recognized nursing specialty~~ may prescribe substances
22 or devices, including controlled substances or devices, if
23 the nurse is engaged in the practice of a nursing specialty
24 regulated under rules adopted by the board of nursing in
25 consultation with the board of medicine and the board of
26 pharmacy.

27 Sec. 4. Section 152.1, Code 2015, is amended by adding the
28 following new subsection:

29 NEW SUBSECTION. 01. *"Advanced registered nurse practitioner"*
30 means a person who is currently licensed as a registered nurse
31 under chapter 152 or 152E who is licensed by the board of
32 nursing as an advanced registered nurse practitioner.

33 Sec. 5. Section 152.1, subsection 4, paragraph c, Code 2015,
34 is amended to read as follows:

35 c. Make the pronouncement of death for a patient whose death

LSB 1216DP (7) 86

-1-

tr/nh

1/11



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.F. _____ H.F. _____

1 is anticipated if the death occurs in a licensed hospital, a
2 licensed health care facility, a Medicare-certified home health
3 agency, a Medicare-certified hospice program or facility, or
4 an assisted living facility or residential care facility,
5 with notice of the death to a physician ~~and in accordance~~
6 ~~with any directions of a physician~~, advanced registered nurse
7 practitioner, or physician assistant.

8 Sec. 6. Section 152.1, subsection 5, unnumbered paragraph
9 1, Code 2015, is amended to read as follows:

10 The "*practice of nursing*" means the practice of a registered
11 nurse, ~~or a licensed practical nurse, or an advanced registered~~
12 nurse practitioner. It does not mean any of the following:

13 Sec. 7. Section 152.1, subsection 5, paragraph b, Code 2015,
14 is amended to read as follows:

15 b. The performance of nursing services by an unlicensed
16 student enrolled in a nursing education program if performance
17 is part of the course of study. Individuals who have been
18 licensed as registered nurses, ~~or licensed practical or~~
19 vocational nurses, or advanced registered nurse practitioners
20 in any state or jurisdiction of the United States are not
21 subject to this exemption.

22 Sec. 8. Section 152.1, subsection 6, paragraph e, Code 2015,
23 is amended to read as follows:

24 e. Make the pronouncement of death for a patient whose death
25 is anticipated if the death occurs in a licensed hospital, a
26 licensed health care facility, a Medicare-certified home health
27 agency, a Medicare-certified hospice program or facility, an
28 assisted living facility, or a residential care facility,
29 with notice of the death to a physician ~~and in accordance~~
30 ~~with any directions of a physician~~, advanced registered nurse
31 practitioner, or physician assistant.

32 Sec. 9. Section 152.4, Code 2015, is amended to read as
33 follows:

34 **152.4 Appropriations.**

35 The board may apply appropriated funds to:

LSB 1216DP (7) 86

-2-

tr/nh

2/11



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.F. _____ H.F. _____

1 1. The administration and enforcement of the provisions of
2 this chapter and ~~of chapter~~ chapters 147, 152E, and 272C.

3 2. The elevation of the standards of the schools of nursing.

4 3. The promotion of educational and professional standards
5 of nurses in this state.

6 4. The collection, analysis, and dissemination of nursing
7 workforce data.

8 Sec. 10. Section 152.5, Code 2015, is amended to read as
9 follows:

10 **152.5 Education programs — ~~record checks.~~**

11 1. All programs preparing a person to be a registered nurse
12 or a licensed practical nurse shall be approved by the board.

13 The board shall not recognize a program unless it:

14 a. Is of recognized standing.

15 b. Has provisions for adequate physical and clinical
16 facilities and other resources with which to conduct a sound
17 education program.

18 c. Requires, for graduation of a registered nurse applicant,
19 the completion of at least a two academic year course of study.

20 d. Requires, for graduation of a licensed practical nurse
21 applicant, the completion of at least a one academic year
22 course of study as prescribed by the board.

23 2. All ~~advanced~~ postlicense formal academic nursing
24 education programs shall also be approved by the board.

25 3. ~~a. For the purposes of this subsection:~~

26 (1) ~~"Nursing program" means a nursing program that is~~
27 ~~approved by the board pursuant to subsection 1 or 2.~~

28 (2) ~~"Student" means a person applying for, enrolled in,~~
29 ~~or returning to the clinical education component of a nursing~~
30 ~~program.~~

31 ~~b. A nursing program may access the single contact~~
32 ~~repository established pursuant to section 135C.33 as necessary~~
33 ~~for the nursing program to initiate record checks of students.~~

34 ~~c. A nursing program shall request that the department~~
35 ~~of public safety perform a criminal history check and the~~

LSB 1216DP (7) 86

-3-

tr/nh

3/11



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.F. _____ H.F. _____

1 ~~department of human services perform child and dependent adult~~
2 ~~abuse record checks in this state on the nursing program's~~
3 ~~students.~~

4 ~~d. If a student has a criminal record or a record of founded~~
5 ~~child or dependent adult abuse, upon request of the nursing~~
6 ~~program, the department of human services shall perform an~~
7 ~~evaluation to determine whether the record warrants prohibition~~
8 ~~of the person's involvement in a clinical education component~~
9 ~~of a nursing program involving children or dependent adults.~~
10 ~~The department of human services shall utilize the criteria~~
11 ~~provided in section 135C.33 in performing the evaluation and~~
12 ~~shall report the results of the evaluation to the nursing~~
13 ~~program. The department of human services has final authority~~
14 ~~in determining whether prohibition of the person's involvement~~
15 ~~in a clinical education component is warranted.~~

16 Sec. 11. **NEW SECTION. 152.5A Student record checks.**

17 1. For the purposes of this section:

18 a. "Nursing program" means a nursing program that is
19 approved by the board pursuant to section 152.5.

20 b. "Student" means a person applying for, enrolled in, or
21 returning to the clinical education component of a nursing
22 program.

23 2. A nursing program may access the single contact
24 repository established pursuant to section 135C.33 as necessary
25 for the nursing program to initiate record checks of students.

26 3. A nursing program shall request that the department
27 of public safety perform a criminal history check and the
28 department of human services perform child and dependent adult
29 abuse record checks in this state on the nursing program's
30 students.

31 4. If a student has a criminal record or a record of founded
32 child or dependent adult abuse, upon request of the nursing
33 program, the department of human services shall perform an
34 evaluation to determine whether the record warrants prohibition
35 of the person's involvement in a clinical education component

LSB 1216DP (7) 86

-4-

tr/nh

4/11



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.F. _____ H.F. _____

1 of a nursing program involving children or dependent adults.
2 The department of human services shall utilize the criteria
3 provided in section 135C.33 in performing the evaluation and
4 shall report the results of the evaluation to the nursing
5 program. The department of human services has final authority
6 in determining whether prohibition of the person's involvement
7 in a clinical education component is warranted.

8 Sec. 12. Section 152.6, Code 2015, is amended to read as
9 follows:

10 **152.6 Licenses — professional abbreviations.**

11 The board may license a natural person to practice as a
12 registered nurse, ~~or~~ as a licensed practical nurse, or as an
13 advanced registered nurse practitioner. However, only a person
14 currently licensed as a registered nurse in this state may use
15 that title and the letters "R.N." after the person's name; only
16 a person currently licensed as a licensed practical nurse in
17 this state may use that title and the letters "L.P.N." after
18 the person's name; and only a person currently licensed as an
19 advanced registered nurse practitioner may use that title and
20 the letters "A.R.N.P." after the person's name. For purposes
21 of this section, "*currently licensed*" includes persons licensed
22 in another state and recognized for licensure in this state
23 pursuant to the nurse licensure compact contained in section
24 152E.1 or pursuant to the advanced practice registered nurse
25 compact contained in section 152E.3.

26 Sec. 13. Section 152.7, Code 2015, is amended by adding the
27 following new subsection:

28 NEW SUBSECTION. 1A. An applicant to be licensed as an
29 advanced registered nurse practitioner shall have the following
30 qualifications:

31 a. Hold a current license as a registered nurse.

32 b. Satisfactory completion of a formal advanced practice
33 educational program of study in a nursing specialty area
34 approved by the board.

35 c. Hold an advanced level certification by a recognized

LSB 1216DP (7) 86

-5-

tr/nh

5/11



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.F. _____ H.F. _____

1 national certifying body.

2 Sec. 14. Section 152.10, subsection 2, paragraph h,
3 subparagraph (2), Code 2015, is amended to read as follows:

4 (2) The board may, upon probable cause, request a
5 licensee to submit to an appropriate medical examination by
6 a designated physician health care provider. If requested
7 by the licensee, the licensee may also designate a physician
8 health care provider for an independent medical examination.
9 ~~The reasonable costs of such examinations and medical reports~~
10 ~~to the board shall be paid by the board.~~ Refusal or failure
11 of a licensee to complete such examinations shall constitute
12 an admission of any allegations relating to such condition.
13 All objections shall be waived as to the admissibility of
14 the examining ~~physicians'~~ health care provider's testimony
15 or examination reports on the grounds that they constitute
16 privileged communication. The medical testimony or examination
17 reports shall not be used against a registered nurse, ~~or~~
18 licensed practical nurse, or advanced registered nurse
19 practitioner in another proceeding and shall be confidential.
20 At reasonable intervals, a registered nurse, ~~or~~ licensed
21 practical nurse, or advanced registered nurse practitioner
22 shall be afforded an opportunity to demonstrate that the
23 registered nurse, or licensed practical nurse, or advanced
24 registered nurse practitioner can resume the competent practice
25 of nursing with reasonable skill and safety to patients.

26 Sec. 15. Section 225C.6, subsection 4, paragraph c,
27 subparagraph (1), Code 2015, is amended to read as follows:

28 (1) A comprehensive set of wraparound services for persons
29 who have had or are at imminent risk of having acute or
30 crisis mental health symptoms that do not permit the persons
31 to remain in or threatens removal of the persons from their
32 home and community, but who have been determined by a mental
33 health professional and a licensed health care professional,
34 subject to the professional's scope of practice, not to need
35 inpatient acute hospital services. For the purposes of this

LSB 1216DP (7) 86

-6-

tr/nh

6/11



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.F. _____ H.F. _____

1 subparagraph, "*mental health professional*" means the same as
2 defined in section 228.1 and "*licensed health care professional*"
3 means a person licensed under chapter 148 to practice medicine
4 and surgery or osteopathic medicine and surgery, an advanced
5 registered nurse practitioner licensed under chapter 152 or
6 152E and ~~registered with the board of nursing~~, or a physician
7 assistant licensed to practice under the supervision of a
8 physician as authorized in chapters 147 and 148C.

9 Sec. 16. Section 228.1, subsection 6, paragraph b, Code
10 2015, is amended to read as follows:

11 b. The individual holds a current Iowa license if
12 practicing in a field covered by an Iowa licensure law and is
13 a psychiatrist, an advanced registered nurse practitioner who
14 holds a national certification in psychiatric mental health
15 care ~~registered~~ licensed by the board of nursing, a physician
16 assistant practicing under the supervision of a psychiatrist,
17 or an individual who holds a doctorate degree in psychology and
18 is licensed by the board of psychology.

19 Sec. 17. Section 229.1, subsection 13, Code 2015, is amended
20 to read as follows:

21 13. "*Psychiatric advanced registered nurse practitioner*"
22 means an individual currently licensed as a registered nurse
23 under chapter 152 or 152E who holds a national certification
24 in psychiatric mental health care and who is ~~registered with~~
25 licensed by the board of nursing as an advanced registered
26 nurse practitioner.

27 Sec. 18. Section 231B.21, subsection 2, paragraph a, Code
28 2015, is amended to read as follows:

29 a. If administration of medications is delegated to
30 the elder group home by the tenant or tenant's legal
31 representative, the medications shall be administered by
32 a registered nurse, licensed practical nurse, ~~or~~ advanced
33 registered nurse practitioner licensed ~~or registered~~
34 in Iowa, or by the individual to whom such licensed or
35 registered individuals may properly delegate administration of

LSB 1216DP (7) 86

-7-

tr/nh

7/11



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.F. _____ H.F. _____

1 medications.

2 Sec. 19. Section 231C.16A, subsection 2, paragraph a, Code
3 2015, is amended to read as follows:

4 a. If administration of medications is delegated to the
5 program by the tenant or tenant's legal representative, the
6 medications shall be administered by a registered nurse,
7 licensed practical nurse, ~~or~~ advanced registered nurse
8 practitioner licensed ~~or registered~~ in Iowa, or by the
9 individual to whom such licensed or registered individuals may
10 properly delegate administration of medications.

11 Sec. 20. Section 231D.13A, subsection 2, paragraph a, Code
12 2015, is amended to read as follows:

13 a. If administration of medications is delegated to
14 the program by the participant or the participant's legal
15 representative, the medications shall be administered by
16 a registered nurse, licensed practical nurse, ~~or~~ advanced
17 registered nurse practitioner licensed ~~or registered~~
18 in Iowa, or by the individual to whom such licensed or
19 registered individuals may properly delegate administration of
20 medications.

21 Sec. 21. Section 235A.15, subsection 2, paragraph c,
22 subparagraph (14), Code 2015, is amended to read as follows:

23 (14) To a nursing program that is approved by the state
24 board of nursing under section 152.5, if the data relates to a
25 record check performed pursuant to section ~~152.5~~ 152.5A.

26 Sec. 22. Section 235B.6, subsection 2, paragraph e,
27 subparagraph (12), Code 2015, is amended to read as follows:

28 (12) A nursing program that is approved by the state board
29 of nursing under section 152.5, if the information relates to a
30 record check performed pursuant to section ~~152.5~~ 152.5A.

31 Sec. 23. Section 321.186, subsection 4, Code 2015, is
32 amended to read as follows:

33 4. A physician licensed under chapter 148, an advanced
34 registered nurse practitioner licensed under chapter 152 ~~and~~
35 ~~registered with the board of nursing~~, a physician assistant

LSB 1216DP (7) 86

-8-

tr/nh

8/11



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.F. _____ H.F. _____

1 licensed under chapter 148C, or an optometrist licensed under
2 chapter 154 may report to the department the identity of a
3 person who has been diagnosed as having a physical or mental
4 condition which would render the person physically or mentally
5 incompetent to operate a motor vehicle in a safe manner. The
6 physician, advanced registered nurse practitioner, physician
7 assistant, or optometrist shall make reasonable efforts
8 to notify the person who is the subject of the report, in
9 writing. The written notification shall state the nature of
10 the disclosure and the reason for the disclosure. A physician,
11 advanced registered nurse practitioner, physician assistant, or
12 optometrist making a report under this section shall be immune
13 from any liability, civil or criminal, which might otherwise
14 be incurred or imposed as a result of the report. A physician,
15 advanced registered nurse practitioner, physician assistant,
16 or optometrist has no duty to make a report or to warn third
17 parties with regard to any knowledge concerning a person's
18 mental or physical competency to operate a motor vehicle in
19 a safe manner. Any report received by the department from a
20 physician, advanced registered nurse practitioner, physician
21 assistant, or optometrist under this section shall be kept
22 confidential. Information regulated by chapter 141A shall be
23 subject to the confidentiality provisions and remedies of that
24 chapter.

25 Sec. 24. Section 514F.6, subsection 2, paragraph a, Code
26 2015, is amended to read as follows:

27 a. *"Advanced registered nurse practitioner"* means a ~~licensed~~
28 ~~nurse who is also registered to practice in an advanced role~~
29 person currently licensed as a registered nurse under chapter
30 152 or 152E who is licensed by the board of nursing as an
31 advanced registered nurse practitioner.

32 EXPLANATION

33 The inclusion of this explanation does not constitute agreement with
34 the explanation's substance by the members of the general assembly.

35 This bill relates to persons and activities regulated by the

LSB 1216DP (7) 86

-9-

tr/nh

9/11



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.F. _____ H.F. _____

1 board of nursing.

2 The bill revises several references to advanced registered
3 nurse practitioners throughout the Code. Currently, the Code
4 refers to advanced registered nurse practitioners as people
5 "registered" as such with the state board of nursing. The
6 bill replaces the term "registered" with "licensed" in such
7 references.

8 The bill defines "advanced registered nurse practitioner" as
9 a person currently licensed as a registered nurse under Code
10 chapter 152 or 152E who is licensed by the board of nursing as
11 an advanced registered nurse practitioner.

12 The bill includes the role of an advanced registered nurse
13 practitioner in the term "practice of nursing" along with the
14 roles of registered nurses and licensed practical nurses.
15 Individuals who have been licensed as advanced registered nurse
16 practitioners in any state are not covered by an exemption to
17 the "practice of nursing" that applies to unlicensed nursing
18 students.

19 The bill allows licensed practical nurses and registered
20 nurses to make pronouncements of death by reporting such
21 information to advanced registered nurse practitioners or
22 physician assistants.

23 The bill allows the state board of nursing to apply
24 appropriated funds to the administration of Code chapter
25 152E, nurse and advanced practice registered nurse licensure
26 compacts, and Code chapter 272C, regulation of licensed
27 professions and occupations. The bill also allows the state
28 board of nursing to apply appropriated funds to the collection,
29 analysis, and dissemination of nursing workforce data.

30 The bill requires that an applicant to be an advanced
31 registered nurse practitioner must hold a current license as
32 a registered nurse, have satisfactorily completed a formal
33 advanced practice educational program of study in a nursing
34 specialty area approved by the board, and hold an advanced
35 level certification by a recognized national certifying body.

LSB 1216DP (7) 86
tr/nh

10/11



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.F. _____ H.F. _____

1 Currently, if someone licensed by the state board of
2 nursing is unable to practice nursing with reasonable skill
3 and safety due to illness, substance abuse, or a mental or
4 physical condition, the board may request the person to submit
5 to a medical examination at the board's expense. The bill
6 eliminates the requirement that the board pay for such an exam.
7 Code section 152.10 currently allows the board of nursing to
8 require a licensee to submit to a medical examination performed
9 by a physician prior to revoking or suspending the licensee's
10 license. The bill replaces the term "physician" with "health
11 care provider". The bill adds advanced registered nurse
12 practitioners to a limitation on these examination reports that
13 currently applies to registered nurses and licensed practical
14 nurses. The bill also allows advanced registered nurse
15 practitioners to demonstrate their ability to resume practicing
16 their profession, a practice currently allowed for registered
17 nurses and licensed practical nurses.



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

Senate Study Bill 1098 - Introduced

SENATE FILE _____
BY (PROPOSED COMMITTEE
ON EDUCATION BILL BY
CHAIRPERSON QUIRMBACH)

A BILL FOR

1 An Act establishing a mental health professional loan
2 forgiveness program and fund.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSE 1473XC (5) 86
kh/sc



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.F. _____

1 Section 1. NEW SECTION. 261.117 Mental health professional
2 loan forgiveness program.

3 1. As used in this section, "*underserved area*" means a
4 geographical area designated as a mental health care health
5 professional shortage area by the department of public health.

6 2. A mental health professional loan forgiveness program
7 is established to be administered by the commission. A mental
8 health professional, as defined in section 228.1, is eligible
9 for the program if the mental health professional is practicing
10 in an underserved area.

11 3. Each applicant for loan forgiveness under this section
12 shall, in accordance with the rules of the commission, do the
13 following:

14 a. Complete and file an application for mental health
15 professional loan forgiveness. The applicant shall be
16 responsible for the prompt submission of any information
17 required by the commission.

18 b. Complete and return on a form approved by the commission
19 an affidavit of practice verifying that the applicant is a
20 mental health professional practicing in an underserved area.

21 4. a. A mental health professional is eligible for loan
22 forgiveness payments under this section for not more than five
23 consecutive years.

24 b. The annual amount of loan forgiveness awarded under
25 this section to a mental health professional who practices
26 in an underserved area in this state shall not exceed the
27 resident tuition rate established for institutions of higher
28 learning governed by the state board of regents for the first
29 year following the mental health professional's graduation
30 from a graduate school, or twenty percent of the mental
31 health professional's total federally guaranteed Stafford loan
32 amount under the federal family education loan program or the
33 federal direct loan program, including principal and interest,
34 whichever amount is less.

35 c. A mental health professional receiving loan forgiveness

LSB 1473XC (5) 86

-1-

kh/sc

1/4



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.F. _____

1 payments under this section is required to file an application
2 annually and submit information as required by the commission
3 on the basis of which the applicant's continued eligibility for
4 the loan forgiveness program will be evaluated and determined.

5 5. A mental health professional loan forgiveness fund is
6 created as a separate fund in the state treasury under the
7 control of the commission for deposit of moneys appropriated
8 to or received by the commission for use under the program.
9 Moneys credited to the fund are appropriated to the commission
10 for purposes of the mental health professional loan forgiveness
11 program. Notwithstanding section 8.33, moneys deposited in the
12 fund shall not revert to any fund of the state at the end of any
13 fiscal year but shall remain in the loan forgiveness repayment
14 fund and be continuously available for loan forgiveness under
15 the program. Notwithstanding section 12C.7, subsection 2,
16 interest or earnings on moneys deposited in the fund shall be
17 credited to the fund.

18 6. The commission shall submit in a report to the general
19 assembly by January 1, annually, the number of mental health
20 professionals who received loan forgiveness payments pursuant
21 to this section, the underserved areas in which those mental
22 health professionals practice or practiced, the amount paid
23 to each mental health professional under this section, and
24 other information identified by the commission as indicators
25 of outcomes from the program.

26 7. The commission shall adopt rules pursuant to chapter 17A
27 to administer this section.

28 EXPLANATION

29 The inclusion of this explanation does not constitute agreement with
30 the explanation's substance by the members of the general assembly.

31 This bill establishes a mental health professional loan
32 forgiveness program under the administration of the college
33 student aid commission. Under the program, mental health
34 professionals who practice in underserved areas are eligible
35 for loan forgiveness payments for up to five years.

LSB 1473XC (5) 86

-2-

kh/sc

2/4



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.F. _____

1 The bill defines "mental health professional" and
2 "underserved area" for purposes of the program. A mental
3 health professional either holds at least a master's degree in
4 a mental health field, holds a current Iowa license, and has
5 at least two years of post-degree clinical experience or is a
6 licensed psychiatrist or psychologist, an advanced registered
7 nurse practitioner who holds a national certification in
8 psychiatric mental health care registered by the board
9 of nursing, or a physician assistant practicing under the
10 supervision of a psychiatrist. An underserved area is a
11 geographical area designated as a mental health professional
12 shortage area by the Iowa department of public health.

13 Applicants for loan forgiveness payments are required to
14 submit an application and an affidavit of practice to the
15 commission. The annual amount of loan forgiveness awarded
16 to an individual under the program shall not exceed the
17 resident tuition rate established for regents universities
18 for the first year following the mental health professional's
19 graduation from a graduate school, or 20 percent of the mental
20 health professional's total federally guaranteed Stafford loan
21 amount under the federal family education loan program or the
22 federal direct loan program, including principal and interest,
23 whichever amount is less.

24 The bill creates a mental health professional loan
25 forgiveness fund in the state treasury under the control of the
26 commission for deposit of moneys appropriated to or received by
27 the commission for use under the program. Moneys credited to
28 the fund are appropriated to the commission for purposes of the
29 program and do not revert to any fund of the state at the end of
30 any fiscal year, and interest or earnings on moneys deposited
31 in the fund shall be credited to the fund.

32 The commission shall submit a report to the general assembly
33 by January 1, annually, detailing the number of mental health
34 professionals who received loan forgiveness payments and the
35 amount paid to each recipient, the underserved areas in which

LSB 1473XC (5) 86

-3-

kh/sc

3/4



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.F. _____

1 they practice or practiced, and other information identified by
2 the commission as indicators of outcomes from the program.



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

Senate Study Bill 1099 - Introduced

SENATE FILE _____
BY (PROPOSED COMMITTEE
ON EDUCATION BILL BY
CHAIRPERSON QUIRMBACH)

A BILL FOR

1 An Act establishing a low-income program supplement for school
2 districts to provide programs serving low-income pupils.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 1463XC (3) 86
md/sc



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.F. _____

1 Section 1. Section 257.1, subsection 2, paragraph b, Code
2 2015, is amended to read as follows:

3 b. For the budget year commencing July 1, 1999, and for each
4 succeeding budget year the regular program foundation base per
5 pupil is eighty-seven and five-tenths percent of the regular
6 program state cost per pupil. For the budget year commencing
7 July 1, 1991, and for each succeeding budget year the special
8 education support services foundation base is seventy-nine
9 percent of the special education support services state cost
10 per pupil. The combined foundation base is the sum of the
11 regular program foundation base, the special education support
12 services foundation base, the total teacher salary supplement
13 district cost, the total professional development supplement
14 district cost, the total early intervention supplement district
15 cost, the total teacher leadership supplement district cost,
16 the total area education agency teacher salary supplement
17 district cost, ~~and~~ the total area education agency professional
18 development supplement district cost, and the low-income
19 program supplement.

20 Sec. 2. Section 257.1, subsection 3, Code 2015, is amended
21 to read as follows:

22 3. *Computations rounded.* In making computations and
23 payments under this chapter, except in the case of computations
24 relating to funding of special education support services,
25 media services, and educational services provided through the
26 area education agencies, and the teacher salary supplement, the
27 professional development supplement, the early intervention
28 supplement, ~~and~~ the teacher leadership supplement, and the
29 low-income program supplement, the department of management
30 shall round amounts to the nearest whole dollar.

31 Sec. 3. Section 257.4, subsection 1, paragraph a, Code 2015,
32 is amended by adding the following new subparagraph:

33 NEW SUBPARAGRAPH. (10) The amount of the low-income program
34 supplement to be received by the school district under section
35 257.10A.

LSB 1463XC (3) 86

-1-

md/sc

1/4



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.F. _____

1 Sec. 4. NEW SECTION. 257.10A Low-income program supplement.

2 1. In order to provide additional funding to school
3 districts for programs serving low-income pupils, each district
4 shall receive for each budget year beginning on or after July
5 1, 2017, a low-income program supplement as calculated under
6 subsection 2.

7 2. Each school district's low-income program supplement
8 shall be an amount equal to the number of pupils in the school
9 district, as reported by the school district on the basic
10 educational data survey for the base year, who are eligible for
11 free and reduced price meals under the federal National School
12 Lunch Act and the federal Child Nutrition Act of 1966, 42
13 U.S.C. §1751-1785, multiplied by four hundredths of the regular
14 program state cost per pupil for the budget year.

15 3. Amounts received under this section shall be utilized
16 by a school district to develop or maintain programs for
17 low-income pupils, including but not limited to before and
18 after school educational programs, summer education programs,
19 individual instructional assistance programs, tutoring and
20 mentoring programs, programs to reduce or waive student fees
21 required as part of the school district's educational program,
22 or other programs or assistance approved by the department.

23 4. For purposes of this section, "*low-income pupils*" means
24 pupils who are eligible for free and reduced price meals under
25 the federal National School Lunch Act and the federal Child
26 Nutrition Act of 1966, 42 U.S.C. §1751-1785.

27 5. Providing programs under this subsection for low-income
28 pupils shall not restrict a school district from offering
29 participation in those programs by pupils who are not
30 low-income pupils, using other funds and resources available to
31 the school district for such purposes.

32 Sec. 5. Section 257.16, subsection 4, Code 2015, is amended
33 to read as follows:

34 4. Notwithstanding any provision to the contrary, if
35 the governor orders budget reductions in accordance with

LSB 1463XC (3) 86

-2-

md/sc

2/4



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.F. _____

1 section 8.31, the teacher salary supplement district cost,
2 the professional development supplement district cost, the
3 early intervention supplement district cost, and the teacher
4 leadership supplement district cost as calculated under
5 section 257.10, subsections 9, 10, 11, and 12, ~~and~~ the area
6 education agency teacher salary supplement district cost and
7 the area education agency professional development supplement
8 district cost as calculated under section 257.37A, subsections
9 1 and 2, and the low-income program supplement as calculated
10 under section 257.10A shall be paid in full as calculated and
11 the reductions in the appropriations provided in accordance
12 with this section shall be reduced from the remaining moneys
13 appropriated pursuant to this section and shall be distributed
14 on a per pupil basis calculated with the weighted enrollment
15 determined in accordance with section 257.6, subsection 5.

16 EXPLANATION

17 The inclusion of this explanation does not constitute agreement with
18 the explanation's substance by the members of the general assembly.

19 This bill provides additional funding to school districts
20 for programs serving low-income pupils, as defined in the bill.

21 Under the bill, each district receives for each budget
22 year beginning on or after July 1, 2017, a low-income program
23 supplement. Each school district's low-income program
24 supplement is an amount equal to the number of pupils in the
25 school district who are eligible for free and reduced price
26 meals multiplied by four hundredths of the regular program
27 state cost per pupil for the budget year.

28 Amounts received by a school district under the bill must be
29 utilized by a school district to develop or maintain programs
30 for low-income pupils, including but not limited to before and
31 after school educational programs, summer education programs,
32 individual instructional assistance programs, tutoring and
33 mentoring programs, programs to reduce or waive student fees
34 required as part of the school district's educational program,
35 or other programs or assistance approved by the department.

LSB 1463XC (3) 86

-3-

md/sc

3/4



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.F. _____

1 The amount of the low-income program supplement is included
2 within the combined foundation base and is paid to each school
3 district as part of the state foundation aid.

4 The bill specifies that providing programs for low-income
5 pupils does not restrict a school district from offering
6 participation in those programs to pupils who are not
7 low-income pupils, using other funds available to the school
8 district.



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

Senate Study Bill 1100 - Introduced

SENATE FILE _____
BY (PROPOSED COMMITTEE
ON EDUCATION BILL BY
CHAIRPERSON QUIRMBACH)

A BILL FOR

1 An Act relating to returning dropout and dropout prevention
2 programs.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 1483XC (1) 86
kh/rj



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.F. _____

1 Section 1. Section 257.39, subsection 1, Code 2015, is
2 amended to read as follows:

3 1. "*Returning dropouts*" are resident pupils who have been
4 enrolled in a public or nonpublic school in any of grades
5 ~~seven~~ kindergarten through twelve who withdrew from school
6 for a reason other than transfer to another school or school
7 district and who subsequently enrolled in a public school in
8 the district.

9 Sec. 2. Section 257.39, subsection 2, unnumbered paragraph
10 1, Code 2015, is amended to read as follows:

11 "*Potential dropouts*" are resident pupils who are enrolled
12 in a public or nonpublic school in any of grades kindergarten
13 through twelve who demonstrate poor school adjustment as
14 indicated by two or more of the following:

15 EXPLANATION

16 The inclusion of this explanation does not constitute agreement with
17 the explanation's substance by the members of the general assembly.

18 This bill expands the definitions of returning dropouts
19 and potential dropouts for purposes of returning dropout and
20 dropout prevention programs and services; program plans,
21 budgets, and appropriate uses of funding for such programs and
22 services; and for requests for and use of modified supplemental
23 amounts for such programs and services.

LSB 1483XC (1) 86
kh/rj

1/1



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

Senate Study Bill 1101 - Introduced

SENATE FILE _____
BY (PROPOSED COMMITTEE
ON EDUCATION BILL BY
CHAIRPERSON QUIRMBACH)

A BILL FOR

1 An Act relating to the state preschool program for
2 four-year-old children by establishing a preschool expansion
3 incentive, authorizing state aid for the incentive, and
4 addressing program costs.
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 1517XC (10) 86
md/sc



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.F. _____

1 Section 1. Section 256C.3, subsection 3, paragraph h, Code
2 2015, is amended to read as follows:

3 h. Provision for ensuring that children receiving care from
4 other child care arrangements can participate in the preschool
5 program with minimal disruption due to transportation and
6 movement from one site to another. The children participating
7 in the preschool program may be transported by the school
8 district to and from activities associated with the program
9 along with other children.

10 Sec. 2. Section 256C.3, subsection 4, Code 2015, is amended
11 by adding the following new paragraph:

12 NEW PARAGRAPH. e. Development and implementation of a plan
13 for the school district's preschool program to have sufficient
14 capacity to operate without a waiting list for school budget
15 years beginning on or after July 1, 2018.

16 Sec. 3. Section 256C.4, subsection 1, paragraphs g and h,
17 Code 2015, are amended to read as follows:

18 g. For the fiscal year beginning July 1, ~~2011~~ 2015, and
19 each succeeding fiscal year, of the amount of preschool
20 foundation aid received by a school district for a fiscal year
21 in accordance with section 257.16, not more than ~~five~~ ten
22 percent may be used by the school district for administering
23 the district's approved local program. Outreach activities
24 and rent for facilities not owned by the school district are
25 permissive uses of the administrative funds.

26 h. For the fiscal year beginning July 1, ~~2012~~ 2015, and
27 each succeeding fiscal year, of the amount of preschool
28 foundation aid received by a school district for a fiscal year
29 in accordance with section 257.16, not less than ~~ninety-five~~
30 ninety percent of the per pupil amount shall be passed through
31 to a community-based provider for each pupil enrolled in
32 the district's approved local program. For the fiscal year
33 beginning July 1, ~~2011~~ 2015, and each succeeding fiscal year,
34 not more than ~~five~~ ten percent of the amount of preschool
35 foundation aid passed through to a community-based provider

LSB 1517XC (10) 86

-1-

md/sc

1/8



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.F. _____

1 may be used by the community-based provider for administrative
2 costs. The costs of outreach activities and rent for
3 facilities not owned by the school district are permissive
4 administrative costs. The costs of transportation involving
5 children participating in the preschool program and other
6 children may be prorated.

7 Sec. 4. Section 256C.4, subsection 2, paragraph b, Code
8 2015, is amended to read as follows:

9 b. The enrollment count of eligible students shall not
10 include a child who is included in the enrollment count
11 determined under section 257.6 or a child who is served by
12 a an existing preschool program already receiving state or
13 federal funds for the purpose of the provision of providing
14 four-year-old preschool programming while the child is being
15 served by the existing program. Such preschool programming
16 However, the enrollment count of eligible students may include
17 a child being served by an existing preschool program if
18 the preschool programming in the existing program has been
19 enhanced as a result of preschool program expansion incentive
20 state aid provided under section 256C.7. For the purposes
21 of this chapter, an "existing preschool program" includes but
22 is not limited to shared visions and other child development
23 assistance programs provided under chapter 256A and section
24 279.51, special education programs provided under section
25 256B.9, school ready children grant programs and other programs
26 provided under chapter 256I, and federal head start programs
27 and the services funded by Tit. I of the federal Elementary and
28 Secondary Education Act of 1965.

29 Sec. 5. Section 256C.5, subsection 1, unnumbered paragraph
30 1, Code 2015, is amended to read as follows:

31 For the purposes of this ~~section and section 256C.4~~ chapter,
32 unless the context otherwise requires:

33 Sec. 6. NEW SECTION. 256C.7 Preschool program expansion
34 incentive.

35 1. For the purposes of this section, unless the context

LSB 1517XC (10) 86

-2-

md/sc

2/8



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.F. _____

1 otherwise requires:

2 *a. "Base incentive enrollment"* means the average of the
3 actual enrollments of eligible students in the preschool
4 programming provided by a school district on October 1, 2012,
5 October 1, 2013, and October 1, 2014.

6 *b. "Incentive enrollment"* means the amount by which the
7 actual enrollment of eligible students in the preschool
8 programming provided by a school district on October 1 of
9 the base year exceeds the school district's base incentive
10 enrollment.

11 *c. "Incentive period"* means the budget years beginning July
12 1, 2016, July 1, 2017, and July 1, 2018.

13 *d. "Incentive state aid"* means the product of twenty percent
14 of the regular program state cost per pupil for the budget year
15 multiplied by the school district's incentive enrollment in the
16 base year.

17 2. *a.* A preschool program expansion incentive is
18 established in accordance with this section. In order to be
19 eligible for the incentive, a school district must develop and
20 implement a preschool program expansion plan, approved by the
21 department, to expand enrollment of eligible students in the
22 school district's preschool programming. In addition, the
23 school district shall work with existing preschool program
24 providers to expand hours and otherwise enhance the preschool
25 programming available to the children participating in the
26 programs. The plan's goal shall be that by the end of the
27 incentive period the district's preschool programming will
28 be available without a waiting list to each child wanting to
29 enroll in the programming. After completion of the incentive
30 period, the department shall analyze the growth in access
31 to the preschool program and enhancements made in preschool
32 programming as a result of the incentive, including in
33 the programs provided directly by school districts and in
34 those offered in partnership with community providers. The
35 department shall submit a report to the general assembly that

LSB 1517XC (10) 86

-3-

md/sc

3/8



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.F. _____

1 shall include identification of progress made toward the
2 incentive program's goals and documentation of collaboration
3 efforts made with input from participating families, early care
4 providers, and community partners.

5 **b.** The elements addressed in the preschool program expansion
6 plan shall include but are not limited to the following:

7 (1) How the school district will work in collaboration with
8 participating families, early care providers, and community
9 partners, as described in section 256C.3, subsection 3,
10 to provide the preschool programming in as convenient and
11 cost-effective a manner as possible for the families of the
12 four-year-old children who are eligible for the programming.

13 (2) A specification of the roles of the early care providers
14 and community partners in support of the expansion plan.

15 (3) A delineation of the specific steps for expanding hours
16 and otherwise enhancing the preschool programming available to
17 the children participating in the existing preschool programs
18 located in the school district.

19 (4) Identification of specific outcomes and progress
20 measures for the expansion plan.

21 (5) Detailed plans for contacting and soliciting enrollment
22 of eligible students, particularly from low-income families,
23 non-English speaking families, and families from ethnic and
24 racial groups underrepresented in the district's preschool
25 program enrollment.

26 **3.** The department of education shall provide required
27 elements and recommend best practices for outreach and program
28 expansion under the incentive, including expansion plan models
29 that school districts may consider in developing their local
30 expansion plans, and including but not limited to submission
31 provisions, annual updates, and documentation of collaboration
32 efforts with and input from participating families, early care
33 providers, and community partners.

34 **4.** During the incentive period, in addition to the
35 regular preschool foundation aid based on the preschool

LSB 1517XC (10) 86
md/sc

4/8



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.F. _____

1 budget enrollment, the school district implementing a
2 preschool expansion plan approved by the department shall
3 receive incentive state aid based on the district's incentive
4 enrollment. The incentive state aid shall be paid as
5 part of the state aid payments made to school districts in
6 accordance with section 257.16 and shall be subject to the
7 same requirements applicable to preschool foundation aid under
8 section 256C.4, subsection 1, paragraph "d".

9 5. A school district shall utilize its incentive state aid
10 to defray increases in costs in connection with the school
11 district's preschool program expansion plan. Such costs shall
12 include but are not limited to renovation and other facility
13 costs connected with expansion, outreach, one-time expenses,
14 and other costs identified as eligible by the department.

15 Sec. 7. Section 257.16, Code 2015, is amended by adding the
16 following new subsection:

17 NEW SUBSECTION. 1A. For the fiscal years in which the
18 preschool program expansion incentive applies in accordance
19 with section 256C.7, the appropriation made in subsection 1
20 shall include the amount necessary to pay incentive state aid
21 in accordance with section 256C.7. This subsection is repealed
22 on July 1, 2019.

23 Sec. 8. STATE MANDATE FUNDING SPECIFIED. In accordance
24 with section 25B.2, subsection 3, the state cost of requiring
25 compliance with any state mandate included in this Act shall
26 be paid by a school district from state school foundation aid
27 received by the school district under section 257.16. This
28 specification of the payment of the state cost shall be deemed
29 to meet all of the state funding-related requirements of
30 section 25B.2, subsection 3, and no additional state funding
31 shall be necessary for the full implementation of this Act
32 by and enforcement of this Act against all affected school
33 districts.

34 EXPLANATION

35 The inclusion of this explanation does not constitute agreement with

LSB 1517XC (10) 86

-5-

md/sc

5/8



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.F. _____

1 the explanation's substance by the members of the general assembly.

2 This bill relates to the statewide preschool program for
3 four-year-old children by establishing a preschool program
4 expansion incentive and authorizing state aid for the
5 incentive. The bill also addresses costs allowed under the
6 program.

7 Code section 256C.3, relating to preschool program
8 requirements, is amended to require each school district to
9 implement a plan for the school district's preschool program to
10 have sufficient capacity to operate without a waiting list for
11 school budget years beginning on or after July 1, 2018.

12 To be eligible for the preschool expansion incentive,
13 a school district must develop and implement a preschool
14 expansion plan, approved by the department, in order to expand
15 enrollment of eligible students in the school district's
16 preschool programming. Requirements for the plan are
17 provided in the bill, including how the school district will
18 collaborate with participating families, early care providers,
19 and community partners to expand the district's preschool
20 enrollment. The department of education is to specify other
21 requirements for the plan and for approval of plans by the
22 department. The bill requires the department of education to
23 analyze the enhancements to the preschool program following the
24 incentives period and submit a report to the general assembly.

25 Current law in Code section 256C.4 prohibits inclusion
26 in the preschool program of children already included in a
27 school's enrollment count for purposes of the school aid
28 foundation formula or children who are served by an existing
29 preschool program already receiving state or federal funds for
30 the purpose of providing four-year-old preschool programming
31 while the child is being served by the existing program. The
32 bill allows inclusion of children participating in an existing
33 program if the preschool programming in the existing program
34 has been enhanced as part of the expansion incentive.

35 The incentive program will operate for the three school

LSB 1517XC (10) 86

-6-

md/sc

6/8



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.F. _____

1 budget years beginning July 1, 2016, July 1, 2017, and July
2 1, 2018. For those three budget years, a school district is
3 eligible to receive incentive state aid for the increase in
4 the actual enrollment of eligible students in the preschool
5 programming provided by a school district in the immediately
6 preceding school year over the base incentive enrollment.
7 The base incentive enrollment is the average of the actual
8 enrollments of eligible students in the school district's
9 preschool programming on October 1, 2012, October 1, 2013,
10 and October 1, 2014. The amount of incentive state aid is
11 equal to 20 percent of the regular program state cost per pupil
12 multiplied by the school district's incentive enrollment in the
13 base year.

14 The incentive state aid is required to be used to defray
15 increases in costs in connection with the school district's
16 preschool expansion plan. Such costs may include renovation
17 and other facility costs connected with expansion, outreach,
18 one-time expenses, and other costs identified as eligible by
19 the department.

20 The bill also addresses administration and other costs under
21 the preschool program in amendments to Code sections 256C.3 and
22 256C.4. Authorization is provided for a school district to
23 transport the children participating in the preschool program
24 to and from activities associated with the program along with
25 other children. The bill authorizes community-based providers
26 to prorate the costs of transporting children participating in
27 the preschool program. The allowable administrative costs for
28 school districts are increased from 5 to 10 percent. Also, the
29 costs of outreach activities and facility rent are permitted
30 as administrative costs.

31 The bill may include a state mandate as defined in Code
32 section 25B.3. The bill requires that the state cost of
33 any state mandate included in the bill be paid by a school
34 district from state school foundation aid received by the
35 school district under Code section 257.16. The specification

LSB 1517XC (10) 86

-7-

md/sc

7/8



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2015

S.F. _____

1 is deemed to constitute state compliance with any state mandate
2 funding-related requirements of Code section 25B.2. The
3 inclusion of this specification is intended to reinstate the
4 requirement of political subdivisions to comply with any state
5 mandates included in the bill.